

# Public Personnel Review Index...VOLUME 7, 1946

THE ENTRIES in this index are arranged alphabetically by author under the following nine subject headings:

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**Classification; Pay**  
**Recruitment; Selection; Induction**  
**Placement; Service Standards and Evaluation**  
**Training**  
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**Employee Relations**  
**Separation**

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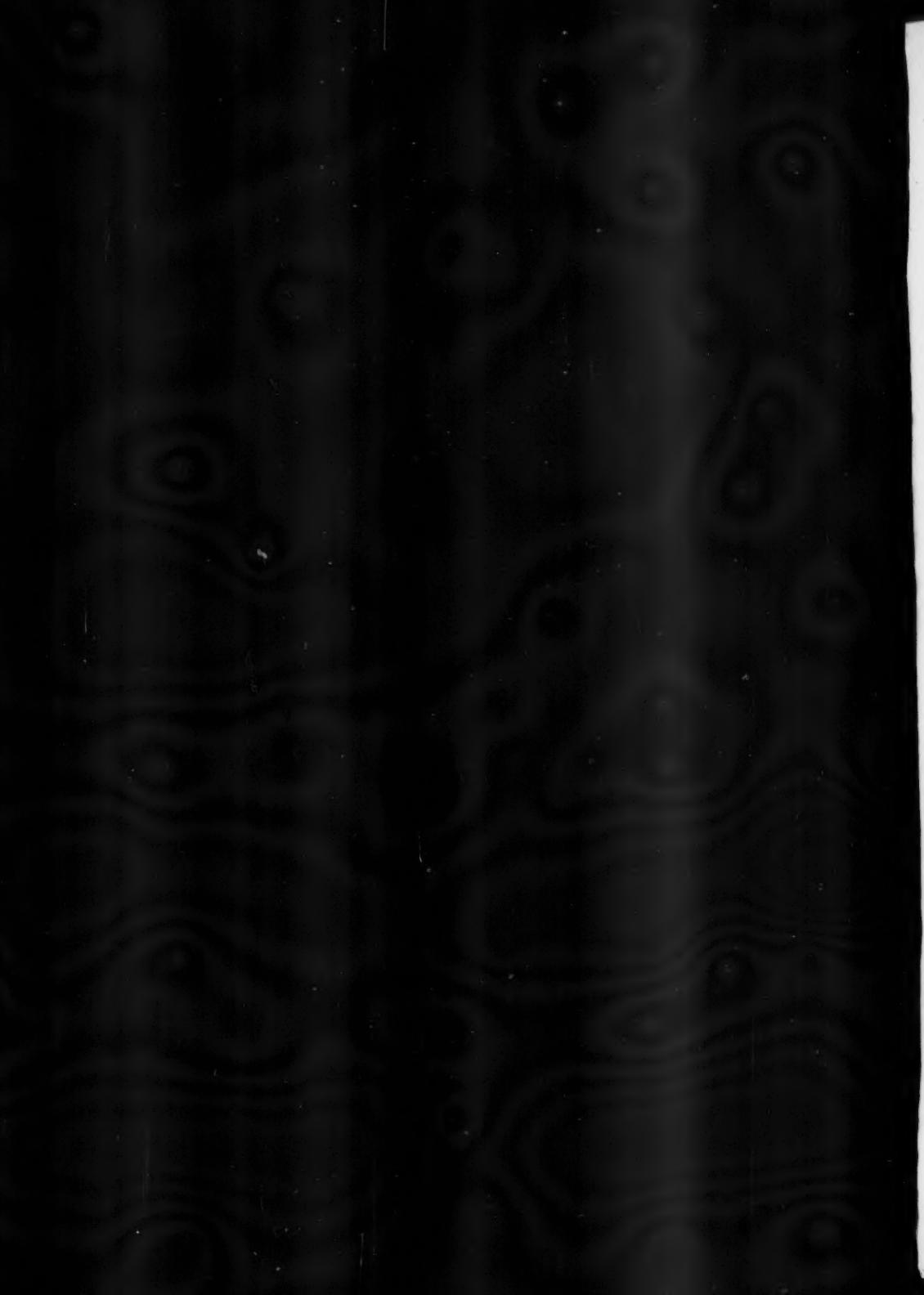
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## *Editorially speaking . . .*

With this issue, *Public Personnel Review* embarks on its seventh year of life fitted out in a new suit. While the *Review* is now smaller in size, a simultaneous reduction in the type size yields virtually the same word capacity per page as before. The new condensed size, moreover, is tailored to fit the average mail receptacle, whereas its more amply proportioned ancestor too often suffered from what might be termed the "mailbox bends."

In a way, the changes in size, cover, and typography which this issue initiates are a byproduct of the postwar reconversion phase,

in the midst of which we all now find ourselves. In so far as our own editorial reconversion goals are concerned, they are simple and easily stated. Some *Review* subscribers—the great majority, we like to believe—find each issue interesting enough to hold their attention from beginning to end. Others—not many, of course—find it hard to settle down to an hour's reading without becoming victims to conflicting interests. Our objective is to reconvert the skimmers and leafers-through into inveterate cover-to-cover readers.

We hope you'll like your new *Review*.

## *Editorially speaking*

¶ The personnel policies of the federal government are important, not only because the United States is the largest single employer in the country, but because federal personnel policies often set precedents for the states and cities. Arthur Flemming, in **Personnel Goals for the Federal Service**, discusses some of the major developments which the United States Civil Service Commission envisages for the federal service of the future.

¶ A goodly portion of the 15 million veterans of World War II will at some time or another in the future be applicants for employment in the public service. How can the training and experience that they have gained in military life be properly appraised in terms of fitness for a civilian job? Lt. W. G. Colman draws on his practical experience as a public personnel official, coupled with experience as a naval personnel officer, to suggest some useful leads in **Evaluating Military Experience for Civilian Employment**.

¶ The value of the oral examination is more often a bone of contention among personnel people than any other selection device. In their thought-provoking article, **Some Notes on Oral Examinations**, Muriel Morse and Joseph Hawthorne recount the research that has been done by the Los Angeles City Civil Service Commission in the results achieved with oral tests.

¶ Otto S. Beyer, who has been intimately identified with the field of employee relations for more than twenty years, takes a look ahead in his **Employee Relations in the Public Service—Present and Future**. He holds forth no panaceas, but his views will interest not only the personnel man, but labor leaders, administrators, and students of labor relations as well.

¶ If you were a departmental personnel officer, and if your entire department was operating under the shadow of momentary "liquidation," how would you shape your program? William

Brody tells how one federal department faced the problem in **Personnel Administration in a Liquidating Agency**.

¶ H. Eliot Kaplan begins his seventh year as the editor of the **Legal Notes** department of the *Review*. A nationally known authority in the field of civil service law, he contributes notes and comments on current litigation that serve as an invaluable guide to personnel administrators and their legal counsels.

¶ What are you reading these winter nights? On the **Bookshelf** and in the **Current Literature** section, you will find reviewed and digested a goodly portion of the significant personnel literature of today.

¶ Quibbles over niceties of terminology seldom serve a more useful purpose than to keep the quibblers out of more serious mischief. But the continued usage of the term "war-duration" applied to appointments long after the shooting has stopped surely calls for the coining of a new, less paradoxical name for this war baby. And before the coiners start minting their new terms, let them by solemn pact foreswear one too-easy alternative—"post-war duration appointments."

¶ The October, 1945 issue of *Harpers* magazine presents a peculiar specimen of popular journalism in this modern age of truth-searching. Advertised as a "not unprejudiced observer," John Fischer proceeds with diligent prejudice to rail at wartime federal personnel administration. Though his revelations are neither novel nor startling, his ingenious remedy, which he uses as the eye-catching title for his piece, most certainly is. "Let's Go Back to the Spoils System," counsels Mr. Fischer in quotes, and we'll never, never have to worry again about inefficiency in government.

Tell you what, Mr. Fischer: Let's you go back to the spoils system; the rest of us 'druther go on from here.

# Personnel Goals for the

## Federal Service . . . . . ARTHUR S. FLEMMING

DURING THE WAR we broadened our concept of what the federal government's personnel program should be. As we face the problems of peace, we must not only retain the gains of the war period; we must also move forward.

The federal government was called upon to discharge tremendously important responsibilities during the war period. In the months and years which lie immediately ahead, the responsibilities will, in many instances, be even more important. Unless they are handled by persons of vision and ability, and by persons whose sole motivation is that of service, unhappy consequences for both our own citizens and the citizens of the world are sure to follow.

With these considerations in mind, the staff of the United States Civil Service Commission is in the process of developing a federal personnel program which will serve as a guide not only to the Commission, as the central personnel agency of the federal government, but also to operating officials throughout the government. This program is not yet complete. It is still in the process of being studied and reworked by persons within the Commission and also by representatives of the operating departments and agencies. Out of the discussions which have already taken place, however, certain basic concepts have emerged.

### *The Career Public Service*

AS A GENERAL GUIDE to our thinking, the staff has developed the following overall statement relative to the career public service in the federal government:

Economical and efficient performance of modern governmental functions requires that the federal government attract and retain the services of persons who are among the most competent in the

country and who have a genuine desire to use their talents to the maximum in the performance of public service.

Experience has shown that the establishment and progressive strengthening of a career public service is the best means of achieving this objective. The principle of a career public service is sound; the job ahead is to improve the career system.

The following policies are vital to a sound and progressive career public service in the federal government:

1. To place in the career public service all positions not of a high policy-making nature.
2. To recruit and select the best qualified and available persons for such positions on the basis of open competition when well qualified persons are not available from within the service.
3. To provide for the development of employees to meet current and future needs of the federal government when such needs can best be met by transfer, promotion, or reassignment, and thereby to provide such opportunities for reasonable growth and advancement as will help to assure the retention in the service of competent and willing workers.
4. To provide that employees who are in the career public service shall have protection as to tenure, subject to the limitations of available funds and the quality of their performance.
5. To provide compensation and working conditions designed to make the public service a desirable endeavor to which to devote a career.
6. To provide a reasonable degree of freedom from economic hazard resulting from injuries or illness and from unemployment, old age, or death.

It should be emphasized that the foregoing statements are preliminary in nature. No doubt they will be revised. They do indicate, however, the trend of our thinking.

### *Cooperation in Recruiting*

THE PROBLEMS AND PRESSURES of the war program have, of course, had more of an effect upon the field of recruitment and placement than possibly any other phase of personnel administration in the federal government. It is well known that since March 16, 1942, no persons have been certified by the Civil Service Commission for appointments carrying regular civil service status. Instead, all appointments

ARTHUR S. FLEMMING is a member of the United States Civil Service Commission.

that have been made have been for not to exceed the duration of the war and a period of six months thereafter. Such appointments are still being made. Unquestionably, hundreds of thousands of additional interim appointments, by whatever name they may be known, will have to be made before a large percentage of appointments in the federal service are once again made in such a manner as to confer civil service status on the persons receiving those appointments.

Right now, the Civil Service Commission does not have any lists of eligibles for regular civil service appointments. This means that, as far as standard civil service procedures are concerned, we will have to start from scratch. This presents many difficult operating problems, but at the same time, it presents an opportunity to develop a fresh approach to the principles, methods and procedures which should govern the recruitment and placement of persons in the agencies of the federal government. The members and staff of the Civil Service Commission of 1883 are the only persons in the history of the federal civil service system who had a comparable opportunity.

In determining what those principles, methods and procedures will be, we are convinced that we should profit by many of the experiences which we have had during the war. In all probability, the outstanding feature of our wartime experience in this field has been the close cooperation which has developed between the Civil Service Commission, as the central personnel agency, and the operating departments and agencies which it has the privilege of serving. This concept of cooperative endeavor in the field of recruitment and placement on the part of the Civil Service Commission and the operating departments and agencies must be retained. The federal government can not possibly do the job that needs to be done in this field except as the Commission and the departments and agencies pool the resources that may be available to them.

We believe, for example, that qualification standards used in recruiting must be worked out on a cooperative basis by the

Commission and the departments and agencies. There is no question but that operating officials have a clearer concept, in many instances, of the knowledge and ability required for particular types of jobs than the representatives of the central personnel agency. Where there is reasonable doubt as to the validity of the position taken by the operating departments and agencies, that doubt should be resolved in their favor. If it is, we will, in the long run, get better management results.

Once an understanding has been arrived at as to the knowledge and ability required for a particular type of job, it then becomes necessary to decide just how we are going to determine whether applicants for positions in the federal service have the required knowledge and ability. The issues involved in deciding this question must also be explored on a cooperative basis. Although the Civil Service Commission, as the central personnel agency, has the responsibility for making the final decision, it should be a decision which rests on a full and complete understanding of the point of view of the operating officials. In reaching this decision, all parties must of necessity recognize the fact that the recruitment must be carried on within the framework of a democratic, open competitive system, and with due regard to the provisions of the Veterans Preference Act of 1944.

Once it has been decided how we are going to ascertain whether applicants have the knowledge and ability required for a particular job, the examining process itself should be carried on in such a manner that there is a complete pooling of all resources — those of the departments and agencies, as well as those of the Civil Service Commission. If, for example, it has been decided to use a written test, the development of that test should be a cooperative enterprise. If, on the other hand, it has been decided to rate applicants on the basis of their training, experience and development up to the time that they file their applications, this process should, likewise, be a joint endeavor. If a decision has been made to use the interview as one method of ascertaining the applicant's qualifications for

the job, then the interviewing should be done by representatives of the Commission and the departments or agencies concerned. If inquiries are to be made as to the way in which applicants have performed on previous jobs, there should once again be a pooling of resources.

Finally, when all of the evidence has been assembled, the evaluation of that evidence and the final rating should be handled by representatives of the Commission and the departments and agencies. It is recognized, of course, that the Civil Service Commission must, in the final analysis, assume responsibility for the results. We believe, however, that if the results are achieved in this way there will be less of a tendency to talk about the "Civil Service Commission's registers," and more of a tendency to refer to the registers of eligibles that have been developed by the federal government. The operating departments and agencies will know what quality of personnel is on the Commission's lists, and because they will have participated in the development of these lists, they will have a far better understanding of how the lists can be used in an intelligent and effective manner.

#### *Selective Certification and Open Lists*

IT WILL BE REMEMBERED that prior to the war the concept of selective certification was being developed to a considerable extent in the federal service. Under this concept, departments and agencies could request persons with specialized qualifications to fill positions which called for such qualifications. The Civil Service Commission would then go through a list of eligibles which had been prepared for rather general use throughout the federal service and select from that list the persons who met the special qualifications. Obviously, if there has been close cooperation in the development of the lists of eligibles in the first instance, this process can be carried on in a much more intelligent and satisfactory manner. It is recognized that there are many operating problems which have to be worked out if the objectives stated above are to be achieved. We believe, how-

ever, that these problems can be worked out, and we are determined to reach the objectives.

There are certain other considerations which are playing a prominent part in our thinking as we develop a program for the recruitment and placement of persons within the federal service. Prior to the war, for example, the Civil Service Commission, after it had announced an examination, found itself flooded with applicants. This often meant that months would elapse before a list of eligibles would be established. It also meant that once the list of eligibles had been established it would be in existence for a long period of time. Obviously, both results were unfavorable to the development of sound administration within the federal government. There is a definite feeling that, as we face the future, we should work out procedures which would remedy these defects. For example, before an examination is announced, an estimate would be made of the number of applications required to meet the needs of the service over a reasonable period of time. When that number of applications had been received, no further applications would be accepted other than from veterans who, under the provisions of the Veterans Preference Act of 1944, would be eligible to have examinations reopened.

Space does not permit a detailed discussion of some of the operating problems that are involved in working out such a program. There are a good many of them, and they are difficult ones. And yet, if the federal civil service system is not going to be completely bogged down by a workload which it can not handle, and if we are going to make it possible for new groups of persons to compete frequently for positions in the federal service, we must solve these operating problems. We feel confident that it can be done.

A program of restricting the number of applicants to be rated would apply, obviously, primarily to recruitment for positions in the lower salary brackets. In so far as professional, scientific and administrative positions in the upper salary brackets are concerned, entirely different

considerations should govern. In such instances, we believe that our examinations should be open continuously. In other words, whenever a person who meets minimum qualifications for these upper-bracket positions in the professional, scientific and administrative fields desires to file an application, he should be permitted to do so. Then, when a particular department or agency indicated a need for one or more persons for an upper-bracket position in the scientific field, for instance, we would take any names that the department or agency desired to recommend, and then go to our files and obtain the papers of other persons who met the specialized qualifications for this particular position. We would then take all the persons who were under consideration and examine them in just as thorough a manner as the resources of the Commission and the department or agency would permit. Following the examination, we would certify the persons at the top of the list. Once the particular job or jobs had been filled, the special list would be broken up, and the papers of the applicants would again be placed back in our files.

This procedure contemplates, of course, that the Commission would keep constantly before the country the opportunities which exist in the administrative, scientific and professional fields. Furthermore, in co-operation with the departments and agencies, we would be constantly doing everything within our power to persuade outstanding persons in these fields to indicate their willingness to be considered for positions in the federal service as vacancies might arise.

#### *Transfers and Promotions*

THE COMMISSION'S THINKING in the field of recruitment and placement also includes, of course, the development of the right type of program for the fullest possible utilization of persons who are already a part of the federal service. The war made it imperative to devote more time and thought than ever before to the problems involved in the effective transfer of personnel from one department or agency to

another, and to the promotion of persons within the departments and agencies. We have learned a good many things about both of these problems. We are confident that what we have learned in these areas can be utilized in a very effective manner in the years which lie immediately ahead.

We believe that, because of the size of the federal government, it will not be possible to develop a formal competitive promotional program that cuts across the entire service. Most departments and agencies are likewise too large to permit the development of such a program. We do feel, however, that it is possible to develop a systematic program which will encourage the right kind of transfers between departments and agencies, and which will insure fair treatment to those who are interested in such a possibility. We believe that the same thing is true in so far as promotions within the departments and agencies are concerned.

Although formalized competitive promotion programs are not feasible, it is possible for operating agencies to develop programs, reduce them to writing, and then see to it that all employees are thoroughly acquainted with the nature of these programs. Anything short of this tends to destroy what should be one of the important aspects of a career public service, namely, the promotion from within of persons who have the competence to discharge more important duties and responsibilities than they are discharging at a given moment.

In this area, we visualize as the role of the central personnel agency to set standards, to do everything possible to persuade management to put those standards into effect, to check up from time to time to see if the standards are being put into effect and, if not, to report the facts, with appropriate recommendations, to the President. A central personnel agency cannot operate a promotion-from-within program for other agencies; it must be done by the operating officials themselves with technical help and assistance from their own personnel staffs.

### *Classification and Pay Administration*

CONSIDERABLE THOUGHT is currently being given to the principles which should underlie the classification and pay administration program of the federal service, particularly in connection with positions which are subject to the Classification Act of 1923. We are firmly of the opinion that the statutory basic pay schedules of the Classification Act should be revised whenever necessary to accomplish these purposes: (1) to reflect in the government service, so far as practicable, pay policies established by the federal government for private industry; (2) to recognize changes in living costs; (3) to keep pay levels for Classification Act employees reasonably consistent with pay levels for other federal employees, such as per diem workers in the mechanical and skilled trades; and (4) to make it possible in all grades to secure and retain employees of a high level of competence.

Too often in the past, we feel, the federal government has been two or three years behind the rest of the country when it comes to making pay adjustments that should be made if employees are to be treated in a fair and equitable manner. A responsibility rests on the executive branch of the government to keep in constant touch with developments in this field, and, at the appropriate time, to make recommendations to the Congress of the United States for changes in pay schedules. Our experience has been that Congress is willing to face these issues. It has a right to expect the executive branch to keep it in close touch with the problems which arise in this field.

In the past year, progress has been made in the direction of granting to all federal employees the kind of adjustments in pay which industrial workers have been receiving. More remains to be done. As this is being written, the Congress is in the process of considering a recommendation by the President for a further percentage increase in the salaries of all federal employees. We believe that such an increase is necessary in order to make federal salaries correspond to increases in the cost of living, and in order to make some slight adjustment for

the loss in earnings as a result of the reduction of the work week from forty-eight hours to forty hours.

Congress is also considering a series of recommendations by the President looking toward raising the ceilings of the federal salary structure in the judicial, legislative and executive branches. Action along this line is long overdue. The satisfaction that comes from serving one's fellow men in the public service is, of course, the finest compensation that can possibly come to any individual. At the same time, persons who are willing to devote a portion or all of their careers to the public service should not be called upon to make unnecessary financial sacrifices. A government which compels them to do so is being penny-wise and pound-foolish. The responsibilities of government are so tremendous that the government must attract and hold the best qualified and available persons it can find. Failure to do so places government in a position where it is not following what are, after all, sound management policies. For these reasons it is felt that an essential part of the federal government's personnel program is for top operating officials to be willing to present to the Congress, our Board of Directors, on all appropriate occasions the information which members of Congress must have if this aspect of personnel administration is to be handled effectively.

There is another basic consideration which is uppermost in our minds as we think of the problems in this particular field. We feel that government-wide standards, showing the kinds of work and responsibilities falling in the various grades of the Classification Act, and qualification standards in terms of knowledge and ability, must be available for use in carrying out personnel activities. We believe that it is the responsibility of the Civil Service Commission, working in cooperation with the departments and agencies, to develop such standards. Once they have been developed, it then becomes the responsibility of the operating departments and agencies to decide how their individual jobs should be classified. The Civil Service Commission

should have a post-audit responsibility for the purpose of determining whether the standards are being followed. This is, of course, the manner in which classification activities in the field service are being carried on. They should be carried on in identically the same manner within the departmental service. Substantial progress is now being made in the development of these standards by the Civil Service Commission. The job must be completed before salary administration, as well as other aspects of personnel administration, will rest on a sound foundation in the federal service.

#### *In-Service Personnel Management*

THE FEDERAL GOVERNMENT, in the development of its personnel program, must, in the interest of the public it serves, place increasing emphasis on developing and using the best methods for ensuring economical and effective use of the time and talents of its employees as individual human beings. We must go much further than we have up to the present time in bringing all supervisors and administrators to the place where they will establish, in cooperation with their employees, definite standards of performance, and where they will currently review and evaluate the work of their employees in the light of these standards.

Any such program is bound to bring to light the need for training employees. We believe that the federal government should, wherever necessary, provide thorough instruction for its employees in the duties and responsibilities of their specific jobs. This is clearly one of the best ways in which to increase the efficiency of the service and to avoid waste of time, money and material.

We also believe that the federal government, as an employer, should actively seek the assistance of employee organizations, and should welcome the contributions that the representatives of such organizations can make to sound management. Federal employees do and should have the right to organize and designate representatives of their own choosing for the purpose of such employee-management cooperation, and for the purpose of conferring with super-

visory and administrative personnel. The federal government must have, in effect, progressive policies in so far as the handling of employee grievances are concerned. And, in addition, the federal government must have sound programs in the field of industrial health, and in the fields of safety engineering, safety education and safety inspection. In the health and safety fields a great deal of work needs to be done.

#### *Separation of Employees*

SOUND POLICIES relating to the separation of employees from the federal service are an integral part of an effective personnel program. The federal government must be willing at all times to separate from its services those employees who are incompetent in their work or whose conduct reflects discredit on the public service. There is a very widespread feeling that once an employee has become a part of the federal civil service system it is impossible to separate him—in other words, that he has life tenure in his job. Nothing, of course, could be further from the facts. While a federal employee is still serving his trial or probationary period he can be dropped by an operating official without the necessity of complying with any formal procedures. The procedure for separating an employee after he has completed his trial or probationary period is, when one compares it with many procedures in effect in the field of business and industry, for example, a relatively simple one. The only essential ingredient is an administrator with a good stiff backbone.

At the same time, it is certainly clear that the federal government's personnel program should have incorporated in it the principle that, before an employee is separated on the ground that his performance is unsatisfactory, he should have been warned by his supervisor in advance, and he should be given an opportunity to improve his work. It is likewise clear that any operating official who has any sense of fair play will see to it that before an employee is separated, after he has completed his trial or probationary period, he is given an opportunity for an impartial hearing on

the merits of his case, with freedom to have a representative of his own choosing appear with or for him, and with assurance that he can carry his appeal to the head of his agency, if necessary.

A carefully worked out program for orderly reductions in force is another essential. The number of persons required in the various agencies of the federal government is bound to fluctuate. Operating departments and agencies should be constantly determining the minimum number of employees essential to the carrying on of their work. When it develops that, as of a given time, they have a surplus of personnel, steps should be taken at once to reduce the size of the force. Plans for such reductions must, however, be worked out in advance so that when they take place due regard will be given to length of service, established rights of various groups of employees, and efficiency on the job.

We likewise believe that although the federal government has made considerable

progress in the development of a sound retirement system it needs to be constantly on the alert so as to make sure that the provisions of the retirement laws operate in such a manner as to attract and hold the best qualified personnel, and thus contribute to the rendering of better service by the government to its people.

#### *The Over-all Goal*

IT IS QUITE CLEAR that this is not the presentation of a complete program in the field of personnel administration. It is, however, an indication of the principles which guide the thinking of the Commission and its staff as we seek to develop the kind of a program which will serve as an effective guide to the operating officials of the federal government. Briefly stated, our over-all goal is this—to make it possible for the United States government, functioning in its capacity as an employer, to become known as the most progressive employer in the nation. We believe it can be reached.

# Evaluating Military Experience for Civilian Employment . . . . LT. W. G. COLMAN

AS DEMOBILIZATION of the armed services accelerates, problems connected with the administration of veterans' preference will continue to pyramid upon the desks of public personnel administrators. Many of the questions surrounding the rights and privileges of veterans in competing for public employment have already been adequately explored. This discussion is limited to a relatively limited yet extremely important segment of the general problem —namely, the establishment of policies and procedures for evaluating training and experience gained by applicants while in military service.

During the next few years a considerable proportion of aspirants to positions in the public service will be veterans. For the younger of these, the length of their military service will at least equal the amount of civilian experience acquired prior to induction, and in many cases will constitute their only vocational "stock in trade." The personnel agency will be confronted with the necessity of analyzing and evaluating this training and experience at two separate stages of the examining process: (a) in reviewing applications for minimum qualifications of education and experience; and (b) in rating education and experience and assigning a numerical value thereto as a component of the final weighted examination average. Therefore, the application reviewer will be concerned, to a highly significant degree, with the relative worth or lack of worth of training and experience

in such military assignments as "Hospital Corpsman," "Supply Clerk," "Intercept Control Technician," "Mine Disposal Specialist," "Mark II Bombsight Operator," "Rifleman," "Aircraft Engine Mechanic," or "Flux-Gate Compass Repairman." This discussion will attempt to outline certain policy and procedural considerations applicable to the assimilation and scientific analysis of this large area of new subject matter.

## *Entrance Requirement Policies*

THE RULES AND REGULATIONS under which the personnel agency operates must outline with reasonable specificity which of several possible alternatives is to be followed concerning the extent to which minimum qualifications of education and experience will be waived for those applicants entitled to military preference. Some agencies are inclined to waive all minimum requirements, at least for a rather wide range of positions, on the ground that if the veteran is able to pass the written test and such other tests as make up the total examination, he should be placed on the eligible list, since he had no opportunity while in the service to obtain the education or experience necessary to qualify. In other cases the waiver of minimum qualifications is limited to those instances wherein the applicant was engaged in the field of qualifying experience at the time of induction. Under such a policy, for example, a veteran with three years of military service, applying for a position requiring four years of experience in a particular field, and who had completed one year of such qualifying experience prior to induction, might be adjudged eligible for examination. Such a policy is based on the assumption that the man would have been able to meet the minimum requirements had his experience not been

Lt. W. G. COLMAN, USNR, is attached to the Bureau of Naval Personnel, Navy Department. Prior to entering military service he was Merit System Supervisor for the state of Missouri, and subsequently served in a similar capacity in the state of Louisiana. The views expressed herein are those of the writer, and do not in any way constitute the official viewpoint of the Navy Department.

interrupted by induction into the armed forces.

Both of the foregoing policies appear to be extremely unwise and would seem to constitute a violation of the principle on which veterans' preference is based and justified—namely, that from among a group of qualified applicants, veterans shall be certified for appointment ahead of non-veterans, such priority in certification to be insured by adding a certain number of points to the finally attained average on the examination. The waiving of entrance requirements strains to a breaking point the consistency between the preference and merit system concepts. A more desirable policy, it would seem, involves applying minimum education and experience requirements to veterans and non-veterans alike, the veteran being given liberal credit for qualifying experience or education gained while in military service. Under such a procedure the principle of entrance qualifications would be maintained, and at the same time the period spent in military service would not constitute a total loss.<sup>1</sup>

The adoption of such a policy, however, leaves the personnel agency confronted by many instances of veterans with no significant civilian experience and whose military service was largely confined to combat duty of a nature not closely related to the duties of the position to which they aspire. It will be necessary, therefore, to reexamine educational and experience requirements as now contained in many class specifications. Such requirements are often narrowly specific to an unrealistic degree and fail to recognize that persons with appropriate aptitudes may be employed, subjected to a comprehensive in-service training program, and molded into competent employees within a reasonable period of time. Wartime experience has clearly demonstrated the efficacy of such a procedure. However, with a loosening of the labor market, operating officials will be inclined to revert to an insistence upon pre-war entrance

standards. The personnel agency must attempt to preserve broad entrance requirements in order that the public service may not be deprived of the potential contribution of millions of young men and women whose only experience in recent years has been in military service.

Such an approach means, of course, that for many positions requiring highly specialized skills or knowledge, much greater dependence must be placed on formal tests than heretofore. During the war many jurisdictions have abandoned tests in favor of carefully developed and extensive training programs. With the revision and consequent broadening of entrance qualifications to accommodate the veteran potential, tests as a selection device must receive renewed attention.

#### *Prerequisites to Proper Evaluation*

ASIDE FROM agency policy with respect to minimum requirements for admission to the examination, the application reviewer will still be confronted with the necessity for assigning numerical values to varied types and combinations of military education and experience for the purpose of giving training and experience its proper weight in the final numerical average which determines relative position on the eligible list. To extend the same value to all types of military experience, or to allow such value to be determined entirely in terms of its length, would result in disparate treatment to individuals within the veteran group who present military experience in varying degrees of relevancy to the duties of the particular position. If all such experience is rated at the same value, regardless of its nature, those veterans who have obtained valuable training or experience while in the service would have just cause for complaint. This would be particularly true of significant educational courses pursued at the volition of the service man or woman, such as training offered by the United States Armed Forces Institute. This justifiable criticism would be aside from and in addition to the violation of merit system principles which would

<sup>1</sup> See *Employment of Veterans in the Public Service in the United States*, Civil Service Assembly of the United States and Canada, August 1, 1944.

result from such a procedure. The personnel agency should therefore devise suitable procedures and techniques for evaluating all such training and experience in terms of its relevancy to civilian positions lest it find itself in a highly untenable position, with the prospect of a large number of appeals from veterans and non-veterans alike.

If the policy of the personnel agency is to evaluate all education and experience gained in military service on the basis of its varying relevancy to the duties of the position applied for, a sizeable task confronts the technical staff in devising procedures which will efficiently and adequately implement such a policy. Development of such procedures requires: (a) methods for obtaining complete and accurate information as to the duties performed and training received while in military service; (b) source materials, such as job analyses, training course outlines, and military personnel manuals designed to afford a comprehensive picture of typical duties performed by military personnel; and (c) tables of equivalents which will adequately relate military training and experience to duties and responsibilities of positions within the jurisdiction of the personnel agency.

Insofar as the make-up of the reviewing staff is concerned, two alternatives may be considered. One or more reviewers, preferably veterans of World War II who are familiar with military organization, personnel policies and terminology, may be designated as responsible for evaluating all military education and experience regardless of the nature of the position involved. Such a plan cuts across the fields of specialization around which the examining and reviewing staffs are usually organized. The other alternative consists in training all reviewers thoroughly in the techniques required to evaluate adequately the military background of veterans. This latter plan involves the training of a larger number of reviewers and examiners in a body of new subject matter, but retains undisturbed the fields of specialization already existent within the technical staff.

### *Analyzing the Military Job*

AN IMMEDIATE PROBLEM is the well-known tendency of candidates in completing application forms to be overly brief and to attempt to describe several separate positions under one employer with two or three sweeping generalizations. If no additional steps are taken, many applicants will use only one segment of the employment history section in the conventional application blank to cover their period of military service, and will describe their experience with a statement such as "Feb. 1942 to March 1946—U. S. Army." Such over-brevity will be due not only to the habitual tendencies of all candidates, but also to the veteran's belief that a detailed description of military duties which are already beginning to seem unreal to him would not be understood or properly evaluated by a civilian placement officer.

It would appear highly desirable to consider the adoption of a separate employment history sheet specifically designed to cover military education and experience, to be enclosed with each application blank, with a statement appearing prominently on the regular form to the effect that all applicants with military service are required to complete the supplementary sheet. The supplement should provide for a complete chronological account of the candidate's military career, with a separate statement for each change of duty and each transfer from one post to another. For former Army personnel it should provide space for the military occupational specialty to which the person was assigned. The supplement might also be used to cover other types of questions concerning military service, such as type of discharge, disability, etc. This would save considerable space on the regular blank and would afford access to all information relating to veterans' preference in one portion of the application and in compact, concise form.

Provision should also be made for the submission by the applicant of a copy of the separation forms received upon discharge, which contain a brief summary of his military experience. The form used by the Army (A.G.O. No. 100) is of particular

value, for it lists the military occupational specialties which designated the individual throughout his tenure in the Army, as well as a description of duties performed and skills acquired. The form used by the Navy (U. S. Navy Rating Description, NavPers 15,434) is of somewhat less value, since it comprises only the duties of the rating held by the man or woman at the time of discharge. The duties of most Navy ratings are extremely broad, and one individual is seldom competent in all the subdivisions of a technical rating. Another point in favor of the Army form is that it is completed by an interviewer at the separation center, whereas the Navy form consists of a printed pamphlet handed to the man at the time of discharge.

In order to evaluate military training and experience properly, the personnel agency must have at hand certain descriptive materials which will enable the application reviewer to view the military history of the applicant in its proper perspective to the military group to which he was attached. The War and Navy departments and several other federal agencies have prepared a number of publications, studies and manuals which describe in considerable detail the content of military jobs and training courses and which constitute indispensable aids to the reviewing and examining staff. A list of the more pertinent of these materials appears at the end of this article.

#### *Military Educational and Training Courses*

THE USE OF a military history supplement to the application blank and appropriate referral to the materials listed following this article will afford the application reviewer a reasonably complete picture of just what the applicant did while serving in the armed forces. The next and most difficult step is to evaluate such a history in terms of the duties and responsibilities of the job to which he aspires. Insofar as the rating of education is concerned, the course of the personnel agency seems clear. The American Council on Education, in co-operation with the War and Navy Departments and the U. S. Armed Forces Insti-

tute, has developed reasonable and workable accreditation procedures whereby proper high school or college credit can be given for training courses completed during military service.<sup>2</sup>

In those cases where the applicant has enrolled as a resident student at an educational institution subsequent to his discharge from the service and prior to filing application, the personnel agency will usually be relieved of the necessity of evaluating educational courses pursued in the armed services, since the institution will already have granted the appropriate amount of academic credit in accordance with its own standards, and such credit should naturally be accepted on the same basis as credit gained at the same institution by a civilian resident student. In those instances where the applicant has no intention of returning to school but presents a record of military training courses as a pertinent part of his qualifications for a position, the personnel agency may wish to secure a record of such training from the Armed Forces Institute. Such a record can be evaluated in terms of academic credit by referring to the recommended standards published by the American Council on Education.

#### *Translating Military Experience into Civilian Values*

GIVEN A COMPLETE employment history for the period of military service, supplemented as required by referral to appropriate reference materials, the personnel agency has a fairly adequate answer to the question "What did the candidate do while in the armed services?" It must next answer the question, "What is the value of this experience in terms of its relation to the job to which the candidate aspires?" In answering the second question a more liberal approach is required than is reflected in a great number of rating tables in current use. The evaluation must not be based upon the highly specific and somewhat arbitrary definitions of "significant," "re-

<sup>2</sup> See Ralph W. Tyler and Lily Detchen, "Evaluation of Educational Growth During Military Service", *Public Personnel Review*, April, 1944, pp. 95-100.

lated," "qualifying," "non-qualifying," and other categorical symbols presently employed in many rating scales. New rating techniques must be devised in order that fair and liberal credit can be extended for military experience having no exact civilian counterpart. Equating of military experience into civilian values must not be confined to matching actual job titles and skills, but must also include a consideration of the aptitudes demanded and related skills acquired on the military job.

In constructing tables of equivalents for use by the reviewing and examining staff, four general types of situations must be

considered: (a) military duties identical or practically identical to existing civilian occupations; (b) *specific* military duties and skills sufficiently related to civilian jobs to permit ready evaluation; (c) *general* military skills and aptitudes sufficiently related to civilian jobs to permit reasonable adequate evaluation; and (d) military duties completely foreign to any significant body of civilian jobs. The foregoing types of relationships are best shown in tabular form, as in the accompanying illustrative table.

It is apparent from this table that a considerable group of military jobs fit readily

### MILITARY — CIVILIAN JOB RELATIONSHIPS

<i>Military Job *</i>	<i>Military Duties</i>	<i>Related Public Service Positions</i>
<b>(a) Identical:</b>		
Tabulating Machine Oper. (Army)	Sets up and operates electric punch card accounting machines, including sorters, reproducers, tabulators, etc. Wires plug boards and makes minor adjustments.	Tabulating Equipment Operator
Yeoman 3rd Class (Navy)	Types letters and other material; proof reads drafts; files correspondence; answers telephone; performs related clerical work as assigned.	Clerk-typist
<b>(b) Closely Related:</b>		
Canvasser, Recruiting Unit, (Army)	Interviews prospective recruits for Army enlistment; explains Army opportunities; types enlistment papers.	Personnel Clerk Junior Placement Interviewer
Chief Motor Machinist Mate (Navy)	Operates and maintains various types of gasoline and Diesel engines, evaporators, refrigeration units, pumps, etc.	Stationary Engineer (Pub. Bldgs.)
<b>(c) Indirectly Related:</b>		
Radio Operator, Intermediate Speed (Army Air Forces)	Transmits and receives code messages at the rate of 12 to 16 words per minute. Fires aerial guns if combat occurs during flight. Makes minor repairs to equipment, (clerical aptitude required).	Clerk
Radarman 3rd Class (Navy)	Operates radar equipment, handles dials, reads indicators, plots and reads polar coordinates; solves maneuvering board problems. (Mathematical aptitude required).	Engineering Aide. Statistical Clerk
<b>(d) Unrelated:</b>		
Rifleman (Army)	Loads, aims and fires a rifle to destroy enemy personnel; cleans and oils his weapon; reads military maps and uses a compass.	Limited to such positions as Guard, Policeman, etc.
Coxswain (Navy)	Supervises groups of seamen performing unskilled tasks aboard ship; directs handling and stowage of cargo, maintains and operates hoisting and landing gear; handles small boats and directs small boat crews.	Limited to such positions as Labor Foreman, etc.

\* Military job titles as used above differ between the Army and Navy. Throughout most of World War II the Army has identified military jobs by a specific title, known as a "Military Occupational Specialty;" this title was used for placement purposes irrespective of rank or rating (Sgt., Cpl., Pfc., etc.) The ratings of naval enlisted personnel are designed to designate the broad occupational field within which the man is performing (Signalman, Gunner's Mate, Machinist Mate, etc.)

into civilian occupational fields and can be evaluated on the basis of existing rating scales. On the other hand, many veterans will have performed military duties whose significance is not so apparent. However, a careful analysis of such jobs in terms of broad skills and aptitudes leads to a reasonably adequate evaluation of these seemingly unrelated experiences. For example, in rating applications for the position of Principal Clerk, actual office clerical experience need not be the sole type of experience for which the applicant would receive credit. A Navy Signalman engaged in sending messages by semaphore and blinker, must, in order to perform those tasks successfully, possess a high degree of clerical aptitude in addition to general mental alertness. The first inclination of the application reviewer might be to categorize such experience as "slightly related" or "non-qualifying," when in fact, it is probably at least as significant to the position applied for as civilian experience in a minor clerical position.

It should be recognized, however, that a large group of military jobs remain which cannot be related to a significant body of civilian work, even considering the aptitudes and indirect relationships involved. Of course, experience as a combat rifleman would assist an applicant in qualifying for the positions of policeman or building guard, but the supply of former combat riflemen interested in public employment and without previous civilian experience will far exceed the number of such positions available. Furthermore, the aptitudes and motivation of the majority of such applicants will not be directed toward such positions. The only course for the personnel agency to follow in such instances is to consider carefully all the factors entering into the performance of the military job as compared to the duties, skills, knowledge, aptitudes and personal factors encompassed by the position applied for, and to extend a rating as liberal as possible under the circumstances.

In connection with civilian positions of a supervisory or administrative character, or those requiring the exercise of imagina-

tive leadership, those military positions which involved supervision or leadership should receive appropriate credit. For example, experience as an Operations Officer in the Army Air Forces would be significant to the position of Administrative Officer in a public agency, although not necessarily completely qualifying for such a position. The personnel agency should exercise considerable caution, however, lest officers are given undue credit for their military experience as contrasted to enlisted men. Many enlisted men, particularly non-commissioned officers, served in positions of a supervisory nature and of equal responsibility to many assignments filled by officers. In many cases enlisted personnel were required to possess a more thorough knowledge of the work at hand than that required of the officers exercising nominal supervision over it. A close examination of the job description contained in the application plus appropriate referral to the military personnel manuals mentioned below should guide the reviewer to a proper perspective.

#### *The Quality of Experience*

AN ADDITIONAL FACTOR which should be considered in rating military experience (as well as civilian) is the indicated quality of work done over a period of time. The reviewer should consider the rate of advancement in terms of duties and responsibilities (but not necessarily in terms of rank or grade). Admittedly the rate of advancement does not constitute a valid factor in all cases, since some men invariably "get lost in the shuffle." However, the military record of an individual showing consistent progress to positions of greater responsibility should enjoy a quality differential in terms of experience rating. Although advancement in military rank or rating is frequently an invalid index of the quality of experience, any demotion in rank or rating definitely connotes an unfavorable record. Demotions are nearly always due to one of two factors: (a) inability to perform the duties of the rank or rating; or (b) serious disciplinary infractions.

Citations, decorations and letters of commendation constitute a clue as to the quality of performance of military duties and in many cases, additional credit could justifiably be given therefor, assuming that quality of experience is being used as a rating factor for all applications. Such credit would be particularly appropriate in the case of citations or commendations for the meritorious execution of regular duties. Unit citations (given to all members of a particular group) would naturally be less significant.

In connection with the quality of experience, the same procedure with reference to follow-up letters to previous employers should be maintained with military employments as that used for civilian employment. The military supplement to the application form should provide for the name, rank and address of the applicant's immediate superior officer. In many cases the replies to letters of inquiry addressed to such officers will be considerably delayed because of change of station or return to civilian life. Nevertheless, a letter from a man's superior officer indicating the nature and quality of performance constitutes just as valuable an addition to the application file as similar letters covering civilian employment.

### *Conclusion*

THIS DISCUSSION has outlined certain aspects of the problem of extending proper credit for experience gained by applicants while serving in the armed forces. It appeared highly desirable to retain minimum entrance requirements of education and experience, for to waive such requirements would weaken the merit system principle and expose the personnel agency to demands from other pressure groups for similar exceptions. On the other hand, it appeared necessary to adopt a more liberal policy with respect to entrance requirements, placing renewed emphasis upon tests and less upon rigid entrance qualifications. It was agreed that in the evaluation of military experience, aptitudes,

personal qualities and related skills, as well as actual tasks performed, should constitute the basis of the rating with such allowance being as liberal as possible.

It would appear that if personnel agencies proceed as outlined above, with appropriate understanding and resourcefulness, policies and procedures may be developed which will: (a) afford fair and reasonable treatment to veterans with limited civilian experience; (b) enable the public service to take full advantage of the vast amount of ability represented in the fifteen million returning veterans; and (c) at the same time, uphold established merit system principles, under which no individual is certified for a position of public employment for which he is not truly qualified.

### SUGGESTED REFERENCE SOURCES

*A Guide to the Evaluation of Military Education*, American Council on Education, Washington, D. C., 1944. (Contains a complete list of all types of training courses conducted by the armed forces and a recommendation as to the amount of high school or college credit to be granted for each.)

*Special Aids for Placing Military Personnel in Civilian Jobs (Enlisted Army Personnel)*, Bureau of Manpower Utilization, U. S. War Manpower Commission, Washington, D. C., February, 1944. (Contains a brief description of jobs performed by Army enlisted personnel and the civilian jobs to which they are related. The Commission has also issued a similar study covering Army officer personnel).

*Special Aids for Placing Navy Personnel in Civilian Jobs*, Bureau of Manpower Utilization, U. S. War Manpower Commission, Washington, D. C., May, 1943. (Same as above, covering jobs performed by naval enlisted personnel).

*Military Occupational Classification of Enlisted Personnel*, (War Department Technical Manual 12-427) War Department, Washington, D. C., July 12, 1944. (Contains a brief description of most discrete jobs in the Army establishment. A similar Technical Manual, 12-406, has been prepared for officer personnel).

*Manual of Enlisted Navy Job Classifications*, (NavPers 15,105) Bureau of Naval Personnel, Navy Department, Washington, D. C., November 1945. (Same as above for naval enlisted personnel).

*Catalog of Courses*, U. S. Armed Forces Institute, Madison, Wisconsin, 1944. (Contains a summary of subject matter covered in each of the courses offered by the Institute).

# Some Notes on Oral Examinations

• • • MURIEL MORSE AND JOSEPH W. HAWTHORNE

**T**O THE PERSON not very familiar with modern civil service procedures, the oral examination is sometimes thought of as a device whereby an honestly administered written test is adjusted to the satisfaction of the manipulators. When it is discovered that in most jurisdictions oral examinations are administered by the most outstanding individuals obtainable, who do not even know the scores in the written test or the grades being given by other examiners, oral examinations are frequently considered at best unreliable and invalid measures. In spite of some evidence to the contrary, the Los Angeles City Civil Service Commission has accumulated a certain amount of information pointing to the conclusion that oral examinations may serve some useful purpose in the examining process.<sup>1</sup>

The procedure in the Los Angeles City Civil Service Commission is similar to that of most jurisdictions. Those candidates receiving sufficiently high grades in the written test are interviewed by an oral board, members of which make independent ratings on a few specific personality traits. The reliability of this form of rating was determined when a board of four members rated 394 candidates for the position of Captain in the Fire Department. The average of two of the raters chosen at random was correlated with the other two. Since it was the reliability of the four members that was desired, the Spearman-Brown formula for double length was applied, resulting in the following:

<sup>1</sup> Thanks are due to Robert Dowey, Janet Joel and Gilbert Woodward of the technical staff of the Los Angeles Civil Service Commission for much of the statistical work on which these notes are based.

(Reliability of oral interview board) = .86 (N = 394)

This seemed to be so high as to be suspicious and it was thought that even though the ratings were independent, three of the board members were reacting unconsciously to the attitude of the dominant member. This factor was later checked, using ratings on a group of people who were taking an examination for Police Lieutenant, and who had some two years previously taken the examination for Sergeant. In both of these examinations a slightly different measure of personality was obtained in that the candidates were rated independently by five superiors. No two candidates in either examination necessarily had the same five raters, although all used the same rating form which was the same as the one used by outside oral boards. Here the results were as follows: R = .94 (N = 120). These results have been verified on several occasions with reliabilities of from .85 to .95 being found, leading to the conclusion that whatever it measures, the rating of personal qualifications measures something with a reliability comparable to written tests. (Written objective tests as given in this jurisdiction consistently show reliabilities of .90 to .95.)

## *The Interview Rating Form*

THE FORM used in this agency for evaluating personal qualifications calls for ratings on the following points:

Appearance.

Maturity of judgment.

Ability to get along with others.

Effectiveness of expression.

Bearing and manner.

Alertness.

Overall evaluation of personal qualifications.

Each trait is scaled in units of two points from 60 to 100, with descriptive terms as follows:

MURIEL MORSE is Senior Personnel Technician on the staff of the Los Angeles City Civil Service Commission.

JOSEPH W. HAWTHORNE is General Manager, Los Angeles City Civil Service Commission.

Unsatisfactory . . . . .	60-66 inc.
Inadequate . . . . .	68-74 inc.
Satisfactory . . . . .	76-80 inc.
Better than average . . . . .	82-86 inc.
Good . . . . .	88-92 inc.
Superior . . . . .	94-98 inc.
Outstanding . . . . .	100

Nothing in the way of intrinsic worth is claimed for this form. The upper end of the scale was intentionally broken up with four descriptive terms above average in the hopes of overcoming the tendency of the rater to slide his pencil too quickly to the top of the scale. Making "satisfactory" only slightly above the passing point of 75 was a further step toward keeping scores from being too high. That this attempt had some success is shown in the range of scores using this form, as compared with the ranges obtained with earlier forms in which there was an equal range on either side of the passing point.

It is the policy of this agency never to use a refined or complicated procedure if the correlation between the refined measure and the simple one is higher than the reliability of the simple measure. For this reason the various traits are given equal weight, since any reasonable weighting would violate the principle and gain nothing. Neither is the form as long and involved as some that are used. In fact there is some evidence to show that it is unnecessarily long as it is. Intercorrelations of the various traits on the form now used run around .70 to .85. The average of the six independent traits, when correlated with the over-all rating, runs around .80 with considerable consistency, leading to the suspicion that perhaps a single rating on an over-all evaluation would be sufficient. This will not be definitely concluded however until the form is tried out in two separate parts, one with six or so specific traits and another form with an over-all evaluation only, to be used by the same board with the same candidates at different times.

It is the tentative conclusion of the authors that any great amount of time spent in selecting traits to be rated is time wasted.

If oral boards were asked to rate personal qualifications of candidates, and if the traits were in symbols or Sanskrit, the results would probably be the same. Some proof of this was found when the same boards were asked to rate training and experience on the same form with personal qualifications. In such cases the correlation between experience and training *vs.* personal qualifications runs from .80 to .85, which is slightly absurd as will be shown later. The point is that the oral boards make some sort of evaluation of the candidates, and a reliable evaluation at that, which is independent of or unaffected by the names given to the traits used on the rating form.

#### *Give Oral Boards Specific Task*

THAT ORAL BOARDS do not discriminate among specific traits was shown above, from which it is obvious that the same boards should never be asked to rate training and experience and personal qualifications at the same time. It was found, as mentioned above, that when they do rate both, the correlation between personal qualification and training and experience is from .80 to .85. When a board of six members which had been rating both subjects was separated into a personal qualification board of three members and a training and experience board of three members, the correlation between experience and training and personal qualifications dropped to .66. ( $N = 13$ ). This was repeated in another examination when the correlation was .81 ( $N = 15$ ) with a single board of six, and .31 ( $N = 18$ ) with the boards separated.

This procedure was reversed in another examination, the boards being separated at first and then combined. Here the correlation between training and experience and personal qualifications with separate boards was .15 ( $N = 27$ ), but when the boards were brought together the same correlation jumped to .76 ( $N = 28$ ).

It might be argued that the intrinsic correlation between personal qualifications and education and experience is in the neighborhood of zero and that even with

an oral board concentrating on experience and training, the personality of the candidate would always be a factor in the results. To determine this, the correlation between training and experience and personality was obtained when the latter was rated by an oral board and the former by means of an objective rating scale applied only to the application without the presence of the candidate. Such correlations run from .27 ( $N = 14$ ) to .40 ( $N = 102$ ), which are comparable to those between two independent boards. The small positive correlation is probably intrinsic and due to the fact that the better personalities tend to gain the more valuable experience.

#### *The Problem of Valid Criteria*

WE HAVE POINTED OUT that an outside oral board measures something with some degree of reliability. That it does not measure any of the abilities measured by other portions of the usual civil service tests is brought out by the low correlations between the oral tests and other tests, as shown below:

	r	N
Oral vs. Written	.17	187
" "	.17	147
" "	.11	101
" training & exp. (separate bd.)	.30	15
" " " (noted from app.)	.15	27
" " " " " (noted from app.)	.27	14
" " " " " " " (noted from app.)	.40	102
Practical (typing test)	.11	101
Performance (painter test)	.39	45

The determination of validity of civil service examinations is always hampered by the fact that any correlation between test and criterion must be computed on the basis of a relatively few highly selected cases from the top of a register, which would tend to make any correlation spuriously low. If it were possible to appoint an entire group of applicants—all of those who failed as well as all who passed—a fair determination of the validity of our measures might be made. In the absence of such an ideal situation (ideal from a test technician's point of view, definitely not that of good public service), the validity of tests must be determined either from the data at hand or by inference. As an example of the latter, general

comments from supervisors might be cited on the result of a clerical examination given without an oral evaluation of personal qualifications. The complaints of supervisors were vociferous and numerous, so much so that any further attempt to cut down administrative expense by eliminating orals was abandoned. The fact that such complaints are not heard when an oral is added to the battery seems to justify its inclusion in the test battery.

Another slightly less subjective tool which may be used as a criterion for validation is the service rating. While recognizing the variety of difficulties which may be encountered in the use of service ratings as criteria, nevertheless, for those jobs for which production records are not available the service rating is the most commonly accepted standard against which tests are validated.

Here again some attempt has been made in this agency to evaluate the interview as a measure of ultimate job success. Correlations of interview results by an outside board with probationary ratings seem to run between .25 and .35, while the ratings of personality traits by supervisors at the time of test and later probationary ratings in higher positions have produced correlations as high as .80 to .90. While it may be argued that the correlations in the former instance are disappointingly low, nevertheless in conjunction with other measures in the examination battery, correlations of final scores with the criterion are raised considerably by the inclusion of the rating on personality traits.

No discussion of the use of the oral interview as a part of the selection tool should fail to consider the measurement of personality traits through the use of written test material. Unfortunately the experience of many agencies with published personality tests has yielded disappointing results. The weakness here is that in the competitive situation such test material lends itself too easily to production of desired answers by the candidate rather than an accurate reflection of that personality trait in the candidate. Neither have the measures of reliability or validity of these objective

tests proved much more satisfactory, if as much so, as results from oral boards.

While continuing evaluation of the tools may change the picture at any time, with the data presently at hand the interview seems to have justified its continuance in this agency as a selection tool, on the basis of its satisfactory reliability, its low intercorrelation with other tests in the examination, and its usefulness in raising the correlation of total test scores with the criterion. Another entirely different area

for discussion and justification might include the public relations value of the interview, considering the advantage of giving candidates the privilege of satisfying a well-recognized desire to explain somewhere during the testing process the interest in and qualifications for a particular job, and also the opportunity presented for selling the merit system to industrial and citizen groups whose interests are frequently stimulated by their participation as interview board members.

# Employee Relations in the Public Service—Present and Future . . . OTTO S. BEYER

AT THIS MOMENT in the life of our nation, December, 1945, we are in a period of transition from a state of war and all it inspired by way of cooperation and sacrifice on the part of our people, to a state of peace in which these same people are more determined than ever to realize long-cherished hopes. A significant feature of the effort to assure the success of our armed forces abroad was the extent to which large groups here at home, through voluntary organizations and through self-chosen leaders, worked with industrial management and government administrators to speed the war effort. And of those who functioned through such voluntary groups, none perhaps played a more intensive and constructive part than did our wage earners. This, in my opinion, is due in no small measure to the fact that these wage workers were enabled, because of the legal protection of the right to organize, to function cooperatively through organized groups.

The simple fact that American workers, under the provisions of such laws as the National Labor Relations Act and complementary state acts, had organized and thus subjected themselves to group disciplines, proved to be an asset of vast importance in effectively mobilizing the full force of industry, human as well as material, for the war effort on the home front. In many respects this asset, in my judgment, is comparable to the war potential which our country acquired when, in the thirties, it developed the Tennessee Valley Authority, the Bonneville Power Administration,

OTTO S. BEYER is Consultant to the Bonneville Power Administration, United States Department of the Interior. He was formerly a member of the National Mediation Board. This article is adapted from a paper presented by Mr. Beyer at a meeting of representatives of Civil Service Assembly agency members, held in Chicago, Illinois, December 13, 1945.

and other like undertakings. In short, the fact that a wholesome national labor policy, among other things, had been promulgated during the years prior to Pearl Harbor made possible the highly coordinated effort of labor, management, and government which piled up an overwhelming superiority in war material.

I particularly want to emphasize that this joint effort was made primarily in the interest of the public welfare, as defined in time of war, namely, national defense. It clearly reveals that an enlightened appreciation of the true significance of the public welfare by our wage earners becomes a very powerful factor in stimulating employees to give of their best. In my estimation the accomplishments of labor, management and government during the war years now challenges no institution in the United States more than the public service in the discharge of its peacetime responsibilities. It is because of this challenge, the challenge to build up the morale and to enlist the enthusiasm of public service employees and administrators for sustained achievement in time of peace, that I welcome a review of employee relations in the public service while the object lessons of the war are still fresh in our minds.

## *Wartime Developments and Trends*

DURING THE WAR the federal government greatly expanded many of its industrial and related activities and tremendously increased its industrial working forces. The same thing happened to a lesser extent in our state, county, and municipal governments. Streetcar and power facilities have been taken over by our cities; housing authorities have been established by our states; and public utility districts have been organized in various localities.

These developments have brought new types of activities as well as increasing num-

bers of industrial, as distinguished from clerical and professional employees, into the public service. It is recognized, I am sure, that industrial workers, generally speaking, have devised and are accustomed to the use of methods for the determination of their labor standards (rates of pay, hours of employment and working conditions), which differ considerably from the methods by which these same standards are determined for white-collar employees. Broadly speaking, industrial workers have for this purpose come to rely chiefly upon the processes of collective bargaining. Of late years, however, even professional and salaried employees are taking advantage of the protection afforded by the National Labor Relations Act and are resorting to the right to organize into unions and negotiate with employers concerning their terms of employment.

All these basic trends—the new place of labor collectively in the industrial process; the demonstrated capacity of both wage earners and salaried employees through group action to contribute to increased output, better performance and improved service; the renewed hopes and aspirations of the masses of people to improve their lot; the new undertakings of government; the increased public employment of industrial workers who have relied upon collective bargaining to safeguard and advance their interests; and finally the fact that white collar workers, both inside and outside of government service, are beginning to organize—all these substantiate the conclusion that the time is highly opportune to appraise the significance of these developments in relation to the public service and its employees.

#### *The Precedent of Private Industry*

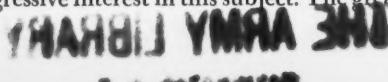
THERE IS STILL ANOTHER aspect of the situation. It is only a question of time before the full impact of the developments in the field of labor relations in private industry will be felt in the relations between employees and administrators in the public service. Articulate labor, both in private and public service, is giving evidence of aggressive interest in this subject. The great

danger from the standpoint of the public service is that this phenomenon will not be understood by our public administrators and personnel managers, and that they will react negatively to it, to the detriment of the public service. Certain public administrators already seem to be relying on a line of reasoning and a set of technical and legal devices which may blind them to the long-range possibilities inherent in an organized relationship between them and their employees.

This relationship need not follow typical labor relationship lines developed today in private industry. Rather, it seems to me, the public service should adjust its employee relations to suit its particular needs and to fit its basic nature. In other words, the answer we are seeking is to the question: What kind of organized employee relations, if any, should be devised for the public service in the light of *all* the factors that bear on the problem? We should not get ourselves into the attitude of searching for all of the reasons why nothing can or should be done about the matter.

Personnel management in the public service, especially in the federal service, is tending to become more and more complex. A vast system of employees standards determination is developing, necessitating the employment of more and more individuals to administer it. Already the mere paper work involved in the selection, classification, hiring, upgrading, promotion, demotion and separation of individuals in the public service has reached prodigious proportions, and the end of this process is not in sight. Still further administrative problems will arise from veterans' preference, tax deductions, the extension of Social Security benefits, and other similar developments.

The federal government encourages private industry to handle its labor relations largely on a decentralized basis; that is, company by company and industry by industry. Employees participate in this decentralized process through their unions and representatives. Most labor standards in private employment are determined by joint negotiations, whereas in the public



service, these standards are usually made by unilateral or administrative action in conformity with national policies, rules, and regulations. It is recognized, of course, that in the public service many standards of employment are and must be determined centrally, either by law or by rules and regulations. But there is no particular virtue in carrying this process to the extreme. Aside from losing the proven benefits of sharing responsibility for the determination of labor standards with employees on a group basis, the organized labor movement in America may generate reservations about the fairness as well as the efficacy of the government's traditional method of determining such standards. Growing labor opposition would tend to dissipate much of the good achieved by the principles of civil service to date.

Those of us who are sincerely concerned with the effective functioning of personnel in the public service should therefore take stock of the situation, and be quick to recognize symptoms of dissatisfaction on the part of labor with traditional public personnel administration concepts, and vice-versa, of public personnel administrators with traditional labor concepts. Both public administrators and labor representatives will then be in a good position to determine, first, how conflict between the two institutions can be avoided, and second, how their respective techniques can be adjusted to their mutual benefit as well as to the benefit of the public service:

#### *Private versus Public Enterprise*

NOT ALL of the criticism directed at these relations as they exist today comes from labor leaders who complain about the unwillingness of public administrators to accept the traditional features of collective bargaining as they have been developed for private industry. Many spokesmen and apologists for private enterprise miss no opportunity to point out how employees, when they once accept service with the government, forego their birthright and henceforth may not enjoy the benefits of conventional collective bargaining nor indulge in the dubious pleasure of striking. Further-

more, these protagonists insist, employees in the public service are denied the benefits of our Social Security system, especially the unemployment insurance feature. When it comes to fixing wages, the adjustment of grievances, or the righting of basic wrongs—the argument goes—an employee, if he works for the government, must resort to legislation (politics) or submit to arbitrary bureaucratic domination. Public servants who forego the rights and privileges safeguarded for private employees by trade unionism and collective bargaining, thus become wards of the state and are in general a sad and underprivileged lot, according to their "private enterprise" friends.

There is much propaganda to this effect going the rounds of our country today, and sometimes it falls on receptive ears when issues arise involving the performance of certain types of work, such as engineering construction by government agencies through force account or the acquisition by government of such facilities as power plants and electric distribution systems. It is true that sometimes publicly operated facilities do suffer from poor personnel administration and the employees thereof do generate serious grievances which would not long be tolerated by organized employees in private industry. The difficulty, however, where it does exist in a publicly operated undertaking, is not necessarily due to the inviolable limitations imposed upon employment in the public service, but rather to lack of imagination and the prevalence of prejudices and false notions on the part of managers as regards the personnel of the undertaking. I might observe that this same difficulty is found to exist in privately operated undertakings, and the basic reasons for it are virtually the same; namely, prejudice, false notions, lack of imagination and poor personnel policies.

Since interests hostile to government operation have frequently, for propaganda purposes, utilized the alleged inability of government agencies to deal with labor matters as private employers may do, another compelling reason exists for exploring public employee relations. There is need for determining what may be done

either to bring them into line with accepted policies and practices applicable to industrial workers throughout the country, or else to improve employee relations in the public service beyond the best that prevails in private industry today. The determination to do what I have suggested must at all times proceed within the broad limitation on the one hand of respecting the right of public employees to organize into free associations to advance their interests, and on the other hand the limitation of not invading the sovereignty of the government in dealing with its employees.

#### *Major Problems Awaiting Attention*

IN ADDITION to giving all the reasons I can think of for taking a good look at the state of employee relations in the public service at this time, I wish also to point out some of the more important problems which call for serious consideration before firm policies and procedures are adopted looking to more effective and extensive group participation by public employees.

The first of these questions which must be answered concerns the right of public service employees to join organizations and designate representatives to speak for them as a group on matters involving the determination of their standards of employment. Generally speaking this right seems to be conceded, just so long as the organizations which public employees may designate for this purpose do not engage in illegal activities. The problem is not whether they shall have the right to join such organizations, but rather to what extent such organizations should participate in the formulation of public employee relations.

The next important question involves the administrative unit or combination of units, the employees of which may, through organizations, designate representatives. If overlapping jurisdictions and other complications are to be avoided, some simple principle, rule or procedure must be provided as a guide for determining the basis of representation whenever disputed questions arise. The problem of representation by craft or other forms of employee grouping may arise among the employees within

an administrative unit. Here, too, some simple guide or procedure for the settlement of disputes must be provided, although in private industry progress in settling issues involving this question has not been any too satisfactory to date.

Assuming that the so-called bargaining unit question has been satisfactorily adjusted in its two basic aspects, and that a spokesman for the employees concerned has been properly designated, another question arises: Shall the administrator recognize only the union and spokesman selected by the majority of employees concerned, or shall he also entertain representations from minority groups? The answer to this question depends in large part upon the purposes of the discussions between administrator and employee spokesman. Are these discussions simply in the nature of consultations, for the purpose of getting the viewpoint of employee representatives on matters of interest to them under consideration by the administrator? Or are they bona fide negotiations intended to lead to written understandings or firm labor contracts? The question of exclusive representation can only be answered in the light of the basic policy which is to prevail as to making and maintaining binding agreements between the administrator and employees. If conferences with representatives are merely to secure advice, then majority and minority representatives may be recognized. If, however, conferences are for contract-making purposes, the representation must be on the exclusive basis.

What about the closed shop in the public service? Obviously, it is not possible, for reasons which I feel do not have to be elaborated, to limit the choice of the government in hiring only to individuals who are, or may be forced to become, members of private associations, no matter how laudable the objectives of these associations. Government can hardly be expected to subscribe to the theory that the only way discriminations against its employees for exercising the right to join organizations can be prevented is to require its administrators to employ only members of such organizations, and to discharge em-

ployees already in the service who do not become members. The government and its agents are presumed at all times to be fair on all matters involving the employment of the country's citizens.

In the event government employees are free to join organizations and designate spokesmen to confer or negotiate with administrators over terms of employment, should such employees also be free to strike just as employees in private industry may do? The mere fact that government employees join organizations of their choice and that administrators confer or negotiate with spokesmen of these organizations neither establishes nor concedes a right which such employees do not now enjoy. If government employees may not legally strike now, the mere act of joining a private organization and conferring through its officers with government officials does not remove this prohibition. At the moment I am not aware of any law which says that government employees may not engage in strikes, although there are court opinions and decisions, and statements by government officials, to this effect.

Perhaps there should be laws which prohibit employees in the public service from striking. Or perhaps when an employee accepts service with the government, his employment contract or oath of office may contain a provision to the effect that he will not engage in strikes on pain of certain penalties. Or again, in the event an administrator enters negotiations with representatives of employees, any resulting memorandum of understanding or written agreement may contain a no-strike provision or a declaration that this is not to be construed as conceding that employees covered by the agreement or memorandum may strike under any circumstances.

#### *Agreements or Contracts?*

THE NEXT QUESTION that arises relates to the specific purposes of any joint relationship entered into between an administrator and his employees through organization representatives. Should the purpose of meeting with employee representatives be purely advisory and consultative with re-

spect to those labor matters in which the administrator has discretionary authority? Or should he go so far as to enter formal written understandings or agreements with them covering these matters? If the latter, what provision should such agreements or understandings contain for the final adjustment of any differences that cannot be settled in direct conference or negotiation? What about arbitration by outside individuals in order that the issues not settled in direct negotiations may be finally determined? In the event that understandings or agreements are negotiated, should provisions concerning standards of employment that are set by law be incorporated in such agreements or understandings?

As matters stand today for so-called annually rated employees in the public service, their classification standards, salary rates, hours, leave privileges and the like are generally determined directly by law or by administrative regulations based on law. In the case of hourly rated employees, such as mechanics and laborers, administrators as a rule have more discretion in arriving at appropriate standards of employment. It is usually provided by law that their rates of pay and certain conditions of employment are to be established regionally or locally in conformity with prevailing regional and local standards. In the case of agencies such as government corporations, for example, the door is usually open still wider, permitting of still greater latitude in the establishment of rates of pay and working conditions. There are also special agencies of government which, by basic law, are exempted from civil service procedures and classification and salary schedules. Thus it appears that there are legitimate areas, varying in extent, depending upon the type of employee concerned and the nature of the government agency involved, within which matters of direct concern to employees and their organizations may conceivably be made the subject of discussion, negotiation and agreement. In this connection, attention is invited to the fact that there are some very outstanding examples of duly

negotiated agreements, some of which apply to employees of government corporations and some to employees of agencies of government which may be perhaps designated as Administrations.

Another difficulty which arises when negotiating an agreement applying to public employees is the necessity of making clear and recognizing the superior authority of government, especially when unilateral changes in the terms of such an agreement become necessary under the provisions of laws that may be enacted at a future date. Unless this is done, misunderstandings can arise, leading to accusations of bad faith.

Assuming that the policy is, if at all possible, to arrive at written understandings or agreements between administrators and groups of employees, the further question arises as to the extent to which such agreements might take cognizance of the public purposes for which the agency concerned has been established. Some agreements and understandings which have been entered into emphasize that the employees collectively, by becoming a party to the agreement, and their spokesman subscribe to the agreement for the specific purpose of facilitating the achievement of the public purposes for which the agency was created.

#### *The Goal for the Future*

THE FOREGOING QUESTIONS do not by any means exhaust the list of special problems which require constructive consideration when it comes to determining just how government employees, properly organized, may participate more effectively than they have in the past in group relationships with public administrators,—assuming, of course, that the inevitable trend is in the direction of more highly organized employee relations in the public service. I have not, for example, said anything about hiring halls or the control of jurisdictional disputes over jobs to be performed, nor have I dwelt upon procedures for adjusting the grievances or claims of individual employees. But I have said enough to suggest that there are many facets to the problem. Each of them calls for careful thought,

but none present insurmountable difficulties or serious hazards to the future activities of the public service if given thorough and unhurried consideration. And one basic test that must always be kept in mind when exploring new devices in the management of employee relations is whether the new steps proposed will not only redound to the good of the employees, but will improve the public service.

The public service, wherever you look, is expanding and changing in character. It is no longer what it used to be either here in the United States, in Canada, in South America or in Europe. Its employees are no longer preponderantly of the salaried, professional or white collared group. In many respects it is being industrialized, taking on new activities, many of which are industrial or proprietary as distinguished from administrative or service in nature. This, along with other features, is diversifying the general complexion of government employees as a class. These basic trends are recognized by many public administrators, particularly those administering enterprises of a proprietary or industrial nature, and they have cut their employee relations cloth accordingly.

The most important thing to recognize about employee relations in the public service, to my mind, is that they are in a high state of flux, that in keeping with the times and by virtue of the rapid branching out of the public service into new fields, new approaches for dealing with personnel problems are indicated. It is also important to remember that such new approaches have been worked out and applied in a number of instances and that the results appear to have been good. All these developments should be carefully studied and publicized for the benefit of public administrators and employee representatives who aim to speak for public employees. Most important of all—under no circumstances should policies be adopted and procedures promulgated which would operate to foreclose or hinder further healthy experimentation in that field of public personnel relations which has to do with group activities.

# Personnel Administration in a Liquidating Agency . . . . . WILLIAM BRODY

PERSONNEL ADMINISTRATION in a liquidating agency is greatly different in many respects from personnel administration in one that is stable or expanding, or even in a contracting agency. Personnel problems are even more acute if the liquidation of the agency is attempted when a terminal date has not been set and when there is a strong possibility that changes in government policy might throw the liquidation process into reverse at any moment.

On August 16, 1945, immediately after the capitulation of Japan, President Truman announced to an interested public that the National War Labor Board was to be considered as being in a state of "orderly liquidation." He enlarged on his announcement as follows:

In the near future I shall call a conference of representatives of organized labor and industry, for the purpose of working out by agreement means to minimize the interruption of production by labor disputes in the reconversion period. . . .

Pending the completion of the conference and until some new plan is worked out and made effective, disputes which cannot be settled by collective bargaining and conciliation, including disputes which threaten a substantial interference with the transition to a peace-time economy, should be handled by the War Labor Board under existing procedures. . . .

The War Labor Board should be terminated as soon after the conclusion of the forthcoming Industry-Labor conference as the orderly disposition of the work of the Board, and the provisions of the War Labor Disputes Act permit; and after facilities have been provided to take care of the wage stabilization functions under the Act of October 3, 1942.

Before and after this announcement, executive orders were issued which ended the life of other war agencies; in each of

WILLIAM BRODY has been, until recently, Director of Personnel of the National War Labor Board. He was previously engaged in personnel work in the Procurement Division of the Treasury Department and in the Office for Emergency Management. Recently, he has been appointed Director of the Bureau of Personnel of the New York City Health Department.

these executive orders, however, a definite termination date was specified and the disposition of functions, funds and personnel was spelled out.

Employees of the War Labor Board should have realized, of course, that "termination" meant termination, and that it was not very likely that all of them would be absorbed into the new "facilities" mentioned by the President. But they were quick to notice that the President had not set a date for the conference, that the conference itself might last a long time, that the "orderly disposition of the work" might take a very long time, and that the functions of the Board would be carried on by somebody—maybe them.

## *Off Again, On Again*

AS THE DAYS grew into weeks and the weeks became months, no one could answer the plaintive queries of the staff: "Will the War Labor Board continue? Will its functions be transferred to another agency? How long will my job last? What's going to happen to me?" Each day brought a new development or a fresh rumor; each development and each rumor gave some employees evidence that they should hold on as long as possible, and at the same time convinced others that they ought to get out promptly.

Under an executive order of the President, the War Labor Board became part of the Department of Labor on September 19. On the very next day the Secretary of Labor restored to the Board complete autonomy with respect to policies, decisions, and personnel.<sup>1</sup> This transfer and following partial abrogation left the employees confused, especially since the same letter requested the Chairman to urge the staff to remain at their posts. By September 26 the members of the Board had set

<sup>1</sup> Letter from Secretary Schwellenbach to Chairman Taylor, September 20, 1945.

a termination date for the agency, although it was not then announced publicly. As one of the members commented, "I'd hate to see us continuing to function beyond the time that we were really appointed and instructed to do a job and get reduced to the status of an agency issuing orders to which anybody could be indifferent. I think that would bring the Board into disrepute."

In a press conference on October 6, the Secretary of Labor indicated that in his opinion the best way to establish a national wage policy was to begin by setting up a test case and have the War Labor Board act upon it. Again the question of the future of the agency was thrown into the limelight. Many employees of the Board looked upon this development as a complete reversal of the program of liquidation of the agency. As one of the public members pointed out in the Board discussions of this proposal on October 8, "More and more as we thrash around over these alternatives, you come back to the notion that the liquidation program of the War Labor Board was really premature and that what needs to be done is to reconstitute the Board and make it independent."

The first official statement of a termination date came in the form of a press release, issued October 16, which stated:

The Board unanimously voted to terminate its existence not later than January 1, 1946, and to make every effort to achieve that result by December 15, 1945. Certain steps were agreed upon for the purpose of facilitating the winding up of the Board's operations but their announcement was withheld pending the working out of certain administrative details, and pending the discussion with the President which was held yesterday.

This was a clear statement and should have left no doubt, but many employees reasoned that the termination date would actually be fixed, not by the Board itself, but by the Secretary of Labor or the President. Despite the reference to the conference with the President, which certainly carried an implication of his approval, there was a feeling that the date might actually be much later than January 1, 1946. And besides, no one had indicated what would finally happen to the functions and staff of the Board. No sign had been

given that the physical liquidation of the agency was under way.<sup>2</sup> The legislative branch of government controls the scope and activities of executive agencies by the size of appropriations; the executive branch exercises control within these appropriations by the setting of personnel ceilings. As late as November 16, 1945, the personnel ceiling assigned by the Bureau of the Budget limited the size of the War Labor Board staff to a maximum of 2120 positions. This was only 500 less than the largest staff that worked for the agency at any one time, and represented concrete and official recognition of the need for continued execution of the Board's functions. In other war agencies, the maximum number of positions was being cut by 50, 75, or 90 per cent at that time.

Looking at one set of facts, an employee could not but conclude that there was no future for him in this agency; but then, looking the other way, surely these functions must continue and maybe—well, maybe . . .

It was in this atmosphere that a personnel program had to operate.

#### *Information—Please*

A TWO-FOLD recommendation of the personnel office was adopted promptly and unequivocally by top management: employees were to be kept fully advised concerning all developments which might affect their status, and each employee was to be accorded all possible assistance in adjusting himself within the agency or in securing a position elsewhere.

The jubilant announcement of the Japanese surrender was celebrated by a two-day holiday for all federal employees. On the day after their return from this vacation, all employees of the Washington office of the War Labor Board were summoned to a meeting with Dr. George W. Taylor, Chairman of the Board, who ex-

<sup>2</sup> *Author's Note:* Since this article was written, it has been determined that the National War Labor Board is to go out of existence on January 1, 1946. Its functions with respect to the stabilization of wages are to be transferred at that time (together with approximately 600 employees) into a successor agency, the National Wage Stabilization Board.

plained what the exact situation was at that time. He pointed out that the fulfillment of the Board's responsibilities in connection with the settlement of industrial disputes would require at least a few months, and that the law provided for continued stabilization of wages until at least June 30, 1946. He gave assurance that any employee who desired to do so could continue his work with the agency at least until December 15 (then four months distant). He paid tribute to the fine work of the staff during the war emergency and expressed his conviction that the Board would go out in a "blaze of glory."

This talk was followed by informational memoranda which were distributed from time to time to every employee of the Washington office (and sent to every regional office for local revision and distribution), outlining all developments of interest and importance. Each division of the national office held staff meetings devoted to specific problems affecting the personal interests of employees. The full facilities of the personnel office were made available for all employees who wished individual advice and guidance. Key officials of the Washington office traveled to the various regional offices and spoke to all field employees. All regional chairmen were called in to Washington each month to present their problems and to carry the latest information back to their employees.

#### *Help Wanted*

DURING THE WAR YEARS the War Labor Board, in common with other federal agencies, had adopted a policy of not releasing any employee for a position elsewhere unless a case of undue personal hardship or incomplete utilization of skills was clearly demonstrated. (The denial of a release in any individual case was subject to two levels of appeal: the Civil Service Commission and the War Manpower Commission.) This policy was immediately and completely reversed. Employees were officially advised that they were free to accept any position anywhere. All that was asked in return was sufficient notice (in no case was more than two weeks' notice

required), so that appropriate adjustments could be made. The new policy was applied without discrimination. When the Chairman of the Board resigned, there was a Vice-Chairman ready to step into his position. When the shorthand reporters who faithfully recorded the Board hearings wanted to leave, they too were allowed to depart, although there was no way of replacing them. Steps were also taken to find positions for the employees of the agency, in other federal agencies and in private industry.

Regulations for the separation of federal employees in connection with a reduction in force require that each employee be retained on the agency rolls for at least thirty days after receiving an official notice of termination.<sup>3</sup> There is no requirement, however, that the employee receive pay for these thirty days. A memorandum was issued to the entire staff, stating that any employee separated because of a curtailment of functions or funds would be notified in writing at least thirty days before his active duty was to end, thus assuring him of at least a full month's pay after learning of the final action. In addition, each employee was offered the right to continue on the agency rolls for a further 90-day period. (At that time no other agency except the Foreign Economic Administration had made such arrangements for employees). The purpose of this payless furlough was to afford each individual an opportunity to find a position in another agency and to be appointed to it without any loss of accrued sick leave or status.

#### *Placement in Reverse*

DURING THE ENTIRE LIQUIDATION PERIOD, NO NEW EMPLOYEE WAS ADDED TO THE STAFF IN WASHINGTON OR IN THE FIELD UNLESS THE POSITION INVOLVED WAS A NECESSARY ONE AND NO

<sup>3</sup> Four basic factors are usually considered in determining the order of lay-off in the federal service: civil service status, veterans' preference, efficiency, and seniority. The official Civil Service Commission regulations provide that in cases of agency liquidation, the selection of those to be terminated first might be made without reference to these factors, with the exception of veterans' preference. The War Labor Board staff was assured that their preference rights would be respected whether or not the agency was actually liquidated.

present employee was qualified and available. This policy virtually eliminated the responsibilities of the placement staff in connection with the interviewing of applicants and the selection of new employees. The placement officers were free to concentrate on two main programs—internal placement and a new endeavor we learned to call "placement in reverse." These activities were so important and so time-consuming that it was necessary to impress several other staff members into service.

As the work-load of the agency shifted and as employees left, the remaining employees had to be moved around rapidly and with a minimum of red tape. Many were called upon to use skills which had been unemployed for a long time. Others cheerfully undertook tasks which were below their occupational level and which might have been below their dignity. It was recognized that lack of productive work was not only an inexcusable waste of money but was also the greatest underminer of morale. Unnecessary clerical work was eliminated and employees were shifted to those units where they were most needed.

The real focus of activity in the placement office, however, was the placement in reverse program—finding new positions for as many employees as possible. The foundation for this program was not firm; throughout the entire period there were grave doubts as to whether such a program should be sponsored at all. As long as there was a possibility that the agency might continue, or as long as there was a chance that a new agency might be made responsible for its functions, answers were needed for many questions. Was it right from the government's viewpoint to dissipate the skills and talents represented in the staff of the War Labor Board? Even if it had been certain that the agency would be terminated on a definite date, was it not necessary to hold on to key employees to assure efficient operations until that date? On the other hand, was it fair to the staff to attempt to hold them during a period when job opportunities might be relatively plentiful? If the agency could not hold them or did not wish to hold them, was

it not sound to centralize the job hunting in the personnel office and enable the employees to go on with their duties instead of spending most of their time in the offices of prospective employers?

The answer, of course, was obvious as a corollary to the basic axiom of rendering all possible assistance to the members of the staff. There was no legal method of preventing any employee from seeking and accepting a position in private industry. Nor was there any real desire to deter any employee from securing a position in private industry, or, preferably, within the government service. There was only the hope that the agency's losses would be scattered and gradual, and the determination to fill in vigorously all the gaps as they arose, with the greatest economy and efficiency.

Full publicity was given to the job-hunting program. All employees in the Washington office were invited to fill in a specially prepared card, listing all pertinent information concerning education, experience, and ambitions with respect to salary and location. A mailing list of approximately 500 names was carefully compiled. These names represented selected individuals in selected organizations which would probably need the services of our employees. We had something unusual to offer, because the labor relations work of the War Labor Board was unique, and the skills of our specialized employees were of great value in the fields of salary determination and industrial relations.

An individual letter was prepared in each case and was personally signed by the Chairman of the Board. This individual attention was amply repaid, for the proportion of replies was far greater than could have been elicited by a mimeographed form. The specifications contained in these replies were posted on bulletin boards, so that all employees might be apprised of the available openings. Biographical statements were forwarded for all employees who met the requirements set by each interested employer. In no case, however, was a statement sent without first checking with the employee to be sure that he

was interested in the specific position at that time.

Supplementary publicity was given to the program in several newspapers and trade journals, and personal calls were made by selected staff members to follow up the letters and publicity. In addition, information concerning suitable vacancies in other federal agencies was available at all times through the cooperation of the Civil Service Commission and of the various placement staffs. As the program developed in the national office, it was described in communications to the regional offices. Each local headquarters adapted the program to its own needs.

#### *Transitional Training Tribulations*

FOR MANY MONTHS a training program had been developed step by step to meet the complex needs of the agency. For example, a large percentage of the professional staff was engaged in work relating to the stabilization of industrial wages. This work included the setting of wage brackets for a tremendous variety of trades and occupations, the determination of what constituted wage inequities, and other tasks which had never before been performed. Although new appointees for this work were trained economists, none of them could possibly have had a background which would enable him to do his work without specific training. Nor was initial training alone sufficient, since the policy and program of the Board continued to change to meet the shifting needs of a wartime economy. In-service training was essential to keep the staff up to date on policies and procedures.

No training course had been authorized unless it served to fill a definite, recognized need. But what happens to those clear-cut needs when a new era of liquidation sets in? What should be done about an orientation program when the flood of new employees is suddenly reduced to a trickle? Should the development of typing and stenographic skills be continued when in a short time there might be no more forms to be filled out, and no more letters to be mailed?

Should training be abandoned completely under these circumstances? But then would employees be qualified to fulfill their duties efficiently while the agency lasted? Who would be found fully equipped to take over the positions relinquished by those who left? Was it not just as difficult for employees to keep up with the changes in concepts and operational procedures brought by the post-war program as it had been in the days of most rapid expansion? And where would a trained staff be found if the agency, or its functions, were to continue indefinitely?

It was, of course, the same problem that confronted us in every other phase of personnel administration: How do you plan for an uncertain future?

① We decided upon a pragmatic approach. All training would be confined to projects which contributed directly and demonstrably to the program of completing the agency's current work-load as quickly as possible. All else was abandoned.

② Orientation training was offered to those few employees who were still being added to the rolls. In-service training was pointed toward solving the problems of adjustment created by new and revised job assignments. Special attention was planned for employees returning to the agency after serving with the armed forces.

#### *Classification Amid Confusion*

A MAJOR REORGANIZATION of the principle divisions of the agency was under way when hostilities with Japan ceased. An administrative decision was necessary: Should we go on with the reorganization or go back to the previous structure? There was a great temptation to just throw up our hands, but the reorganization went on. The basic policy question with respect to classification during the transitional period was whether or not it would be advisable to follow the lead of some other agencies and prohibit all classification action. It was obvious that there would be a good deal of shifting around. Work which had once been critically important might now become unnecessary; employees performing important functions would be leaving;

other employees would find themselves with relatively little to do; still others would suddenly have to take on new duties, sometimes at higher or at lower levels than their classified grade.

It was well known around Washington that some agencies which were about to go out of business had deliberately processed a large number of promotions for employees on the same principle which prompts a football coach to send in all the players who have spent the season on the bench, to "earn their letter" during the closing quarter of the final game. A typical example was the agency which recommended a \$1,000 increase for its budget officer at a time when no further budget estimate was to be prepared.

The policy adopted within the War Labor Board was designed to avoid the Scylla of taking no action regardless of the merits of the case, and the Charybdis of taking action regardless of lack of merit. This policy called for careful scrutiny of each request for a revised allocation or for any other personnel action involving position classification. In no case was approval granted without affirmative justification that the proposed position was necessary and that it was likely to continue for at least a few months. This justification

was above and beyond the usual criteria centered about the duties and responsibilities of the position and the qualifications of the incumbent or prospective incumbent. When the Deputy Executive Director left the agency, for example, his position was left vacant. Under normal operating conditions this was considered a key position and could not have remained unfilled for any length of time.

In those instances where employees were temporarily assigned new duties at a level lower than their classified grade because of the swiftly-changing work load, and through no fault of their own, an eyes-closed, hands-off policy was followed. The entire classification program was predicated upon the imposition of more rigid standards for effecting changes and relaxed standards for maintaining the status quo.

#### *Summary In One Sentence*

IT HAS BEEN THE EXPERIENCE of at least one liquidating agency that the surest way to perform its remaining responsibilities efficiently and effectively is to maintain the highest possible degree of employee morale by keeping the staff fully informed at all times, and by giving the employees all possible assistance in making their personal adjustments to the situation.

# Legal Notes . . . . . Edited by H. ELIOT KAPLAN

## Removals in the Civil Service

One criticism frequently leveled at the operation of the civil service laws, and often played up in the public press, is the apparent difficulties besetting heads of departments in removing incompetent and inefficient public employees. Even in jurisdictions where the civil service law permits the department head to dismiss employees with no more formality than requiring him to give the employee a statement of reasons and an opportunity to him to answer in writing, the public has been led to believe that dismissal of a civil service employee is quite difficult, if not virtually impossible. It is difficult to convince most business men that removals in the civil service can, as a rule, be made in substantially the same manner and for substantially the same reasons as are dismissals made in private employment.

Lately, Charles Hurd writing in the *New York Times* on the problems of veterans, in discussing some of the difficulties often confronted by the Veterans' Administration in operation of the civil service rules, blamed much of the difficulty on the inability of the Veterans' Administration to dismiss inefficient and incompetent subordinates in that agency because of the protective provisions of the civil service law. This appraisal of the federal system of removals is, of course, unfounded, as has been so often explained.

The opinion and ruling of the California Supreme Court in the recent case of *Steem v. Board of Civil Service Commissioners*, 160 Pac. (2d) 816, wherein the court reviewed the dismissal of an employee, would seem to lend encouragement to the public misapprehension of the general civil service removal system. It appears that the Los Angeles Department of Water and Power sought to remove one of its subordinate employees, a "rigger," who had attained classified status under the charter provisions and who had been serving in the city service since 1922. After he had been suspended pending dismissal, the employee appealed to the City Board of Civil Service Com-

missioners for an investigation of the grounds for his suspension and contemplated removal. The next day the employee was served with a "notice of removal, discharge or suspension," signed by an officer of the Water Department, advising him that he was dismissed for the causes set forth in the notice. The employee thereupon requested the Board of Civil Service Commissioners to investigate the grounds for dismissal.

It appears that the Water Department itself did not produce any proof of its reasons for discharge. The Civil Service Board directed the manager of the Civil Service Department to investigate the charges. The manager filed his report with the Civil Service Board on December 5. On December 10 the petitioner appeared before the Board and was told that the Board would consider his request that it investigate the removal and that he would be permitted to appear before the Board on December 14. The employee asked to be permitted to have counsel represent him at the hearing, but the Board informed him that counsel would be of no benefit to him and that the Commission would not hold a hearing and would not listen to the petitioner's counsel. Nevertheless, the petitioner was confronted by his three accusers from the Department of Water and a deputy city attorney representing that department. The petitioner was asked, by the President of the Civil Service Board if he had anything to say. The petitioner contended that he was so overcome emotionally by the sudden and "unexpected confrontation in force by his accusers" that he was unable to defend himself. The Board then moved "that from the information presented by both the report and the questioning by the Commission of those present, the Commission finds that the causes for the discharge as set forth above are sufficient and are sustained, and therefore his appeal is denied."

The Civil Service Board then issued an order affirming the dismissal of the employee. He demanded reinstatement, which was denied, so petitioner brought a proceeding to compel his reinstatement on the ground that the review of his dismissal by the Civil Service Board was inadequate under the law, and that there had been failure by the Department of Water and Power to prove the reasons stated for discharging him.

H. ELIOT KAPLAN is Executive Secretary, National Civil Service League, and is a practicing member of the New York Bar.

The Los Angeles charter provision (Section 112 (a) St. 1925, page 1067) provides in part:

Any board . . . having the power of appointment . . . shall have the power to remove, discharge or suspend . . . any employee of such department; but no person in the classified civil service of the city . . . shall be removed, discharged or suspended except for cause which shall be stated in writing by the board . . . and filed with the board of civil service commissioners . . . Upon such filing such removal, discharge or suspension shall take effect . . . The said board . . . upon written application of the person so removed, discharged or suspended . . . shall proceed to investigate the grounds for such removal, discharge or suspension. If after such investigation said board finds, in writing, that the grounds stated for such removal, discharge or suspension were insufficient or were not sustained, and also finds in writing that the person removed, discharged or suspended is a fit and suitable person to fill the position from which he was removed, discharged or suspended, said board shall order said person so removed, discharged or suspended, to be reinstated or restored to duty. The order of said board with respect to such removal, discharge or suspension shall be . . . final and conclusive.

The city officials contended that a formal hearing by the Civil Service Board was not necessary; that all that the statute required is that the commission make an inquiry or investigation of the facts in the case and that if it were convinced that the removal was made in good faith and on reasonably substantial grounds, the Commission in its discretion could properly sustain the removal. The court, however, viewed the statute as requiring the Civil Service Board to hold a formal trial, subpoenaing witnesses and administering oaths, with a right to the employee to be represented by counsel and to cross-examine witnesses. The court contended that if by statute a civil service employee may not be removed or discharged except for cause, the clear implication is that there be afforded an opportunity for a full hearing to accomplish his removal; and that unless the statute expressly negates the necessity of a formal hearing, "common fairness and justice compel the inclusion of such a requirement by implication." In this conclusion it followed the reasoning of the Washington Supreme Court in *Luellen v. City of Aberdeen*, 148 Pac. (2d) 849.

The reasoning of the California Supreme Court is revealing in that it expresses the two-fold purposes of the civil service to be (1) to abolish the so-called spoils system, and (2) to increase the efficiency of the service by assuring the employee of continuance in office regardless of what party may then be in power. "Efficiency," stated the court, "is secured by the knowledge on the part of the employee that promotion to high positions when vacancies occur

will be the reward of faithful and honest service. . . . The goal of civil service, assurance of continuity in the position, should not be thwarted by leaving the employee without remedy for a full consideration of the propriety of his discharge, unless the statute unquestionably requires such a result." Based on these premises the court concluded that the petitioner by being denied the right to be represented by counsel and being given an opportunity to submit his own evidence and cross-examine witnesses of the City, was "a denial of a hearing" as contemplated by the statute.

The majority of the court appears to have reversed, or at least drastically modified, its earlier decision of *Krohn v. Board of Water, etc.*, 272 Pac. 757, wherein after tracing the history of the provisions concerning removals of civil service employees, it held that the legislature had deliberately abandoned the former requirement of a trial in the nature of a judicial hearing and substituted an "investigation" on the application of the discharged employee. The court there had followed the decisions of other jurisdictions wherein it had been held that similar provisions for investigation of dismissals by a civil service board did not contemplate a public hearing or trial. Two of the judges called attention to this in their dissenting opinion and concluded:

If the people of the City of Los Angeles desire a change in the law governing the rights and remedies of its civil service employees, that change should come through legislative process. The applications in the petition in our opinion show a compliance with the present charter provisions.

But the majority, three of the five judges, could not see their way clear to following this sage suggestion.

The general rule in most jurisdictions is that no formal hearing in the nature of a trial is required except where the statute specifically so provides. All that is generally required is that the procedure provided by the statute is substantially complied with, and that the reasons for the dismissal on their face appear to be reasonable and not arbitrary or capricious. In the absence of patent bad faith the courts will not review the facts relating to the dismissal, but will leave the determination of the reasonableness of the grounds for removal to the department head, or to the civil service commission where appeal to the commission for review is permitted.

#### Examinations

The New York City Civil Service Commission four years ago conducted a competitive

examination to fill the responsible position of Borough Superintendent of Buildings, which examination was attacked by the courts as invalidly and improperly conducted by the Commission. It was alleged that there were irregularities in the conduct of the oral examination; that one of the members of the Commission had prior to the announcement of the final results of the oral examination "informally" apprised the department head of the probable outcome of the candidates in the oral examination, seeking to assure him that some of the provisional incumbents in the positions would be reachable for appointment on the list.

The court at Special Term, reluctant as it was to void the examination, particularly as appointments had already been made therefrom and the successful candidates themselves were innocent of any irregularity or impropriety, nevertheless set aside the examination and resulting eligible list as invalid, and ordered the holding of a new examination.

The Appellate Division affirmed the rule of Special Term. Lately, the case came up for review in the Court of Appeals where it was again affirmed. *Hanning v. Marsh, et al.*, 62 N. E. (2d) 235.

\* \* \*

*Relevancy of Test Questions.* The relevancy or propriety of questions asked by civil service commissions in examinations, particularly in promotion examinations, is occasionally challenged in the courts. In a promotion examination held by the New York City Civil Service Commission to a higher grade clerkship in the Finance Department, it was claimed by the petitioners that a number of the questions asked were "illegal" in that they related to matters not confined to the work of the department in which they had been employed. (*Furman, et al v. Marsh, et al.*, 56 N. Y. S. [2d] 690, N. Y.) One of the questions related, they alleged, to the functions of the State Budget Bureau and not to the Finance Department. The other related, they alleged, to the functions of the Civil Service Commission. Petitioners answered these questions, choosing one or the other as they were permitted to do, as though the questions related to their own department. They failed to attain a place on the promotion list largely as a result of their failure to obtain sufficient credit in answering these allegedly illegal questions.

The court denied any relief to the petitioners, holding that the Commission has discretion to promulgate any questions in civil service exam-

inations so long as they are not palpably irrelevant to the duties of the position for which the examination is conducted; that the courts will not substitute their views, knowledge or wisdom for that of the Commission which is authorized to conduct such examinations if the Commission exercises its functions and responsibilities reasonably and its discretion is fairly exercised. The court pointed out that the Commission may fix any fair and reasonable standard by which qualifications of applicants may be tested and that review by the court is possible only where a clear and unequivocal showing can be made that in fixing the test of fitness action of the Commission was arbitrary or capricious.

One of the questions asked of the applicants was: "Assume that you have been assigned to prepare job descriptions for all of the positions in the department. Explain fully your procedure in carrying out this assignment." The court observed that this question did not call upon the applicants to answer by writing from memory a description of the positions or a statement of the title, functions and duties of the positions in their respective departments. It called upon the candidate, in the view of the court, to assume he was assigned to prepare job descriptions for all the positions in his own department. He was then to state, presumably, the method he would pursue in carrying out the assignment, that is, the manner in which he would act. Commenting further on this, the court stated:

The question called for a short composition or essay stating how the candidate would go about doing the work to which he was assumed to have been assigned. Such a question appears to have been relevant to the duties of the position for which the examination was held. In any event, it may not be held to be palpably irrelevant to such duties. That being so the matter was one for the discretion of the civil service commission, and courts will not substitute their views for an authorized discretion reasonably exercised.

#### Exception from Competition

The Ohio civil service law divides the civil service of the state, counties and cities into the unclassified and classified services. The unclassified service permits appointments without the requirement of competitive examination. It includes the following:

8 . . . and two secretaries, assistants or clerks and one personal stenographer for other elective officers and each of the principal appointive executive officers, boards or commissions, except civil service commissions, authorized by law to appoint such secretary, assistant or clerk and stenographer.

The Cincinnati city charter establishing a Public Recreation Commission provides for an unpaid board consisting of a member of the Board of Education, a member of the Board of Park Commissioners, and three citizens appointed by the Mayor. The Recreation Commission is authorized to appoint a director of public recreation who, among other duties, "shall have authority to contract for the services of umpires, referees, special directors and instructors, musicians and other employees to perform special and occasional duties." The Recreation Commission has authority to provide for, equip, and operate all recreational facilities in the public parks and grounds, including tennis courts, municipal camps, etc.

When the position of Director was first established in 1932 it was filled after competitive examination. It had been carried on the records of the Civil Service Commission as being in the classified service until December, 1944, when the Civil Service Commission, at the request of the Recreation Commission, transferred the position to the unclassified service. The position was transferred on the ground that it had been erroneously carried in the classified service in that the position was "in the highest sense an assistant of the Public Recreation Commission," and that the civil service law gave the Recreation Commission, as it does all other commissions, "the right to certain unclassified positions, which right has heretofore not been exercised" by the Recreation Commission.

Soon thereafter the Recreation Commission discontinued the Director's services and sought to appoint someone without examination in his place. The former Director instituted suit to compel his reinstatement on the ground that the position of Director of Recreation was in the classified service and that he could not be removed except on charges after a hearing as provided by the civil service law. He contended that the purported reclassification of the Civil Service Commission placing the position in the unclassified service was invalid in that the Recreation Commission was not an independent department of the city government entitled to the exemptions specified in the above-quoted paragraph from the civil service law, listing the positions excepted from competition, and that the position of director is not in the category of a secretary or assistant of the Recreation Commission.

The Ohio Court of Appeals, in *Deering v. Hirsch, et al.*, 62 N. E. (2d) 577, upheld the dismissal and supported the action of the civil service commission in transferring the position

of Director to the unclassified service. The court held that when the commission found the position of Director to be properly in the unclassified service under the law, it was the duty of the commission to correct its treatment of the position as in the classified service. The fact that the original appointment "proceeded erroneously by the mechanics of the classified service and examination was had did not conclude the rights and duties of the commission and director under the law and did not create prescriptive rights to public office, based on principles of estoppel, as all parties are charged with knowledge of the law."

The court held that the Recreation Commission was an independent department within the terms of the exemptions authorized in the section of the civil service law relating to the unclassified service. It also held that the duties and functions of the Recreation Director were such as to include it within the descriptive term of "secretary" or "assistant," viewing the Director as "obviously the one vital agent through whom the duties and purposes of the Recreation Commission were accomplished."

## CASE NOTES

**Creation of Positions.** Where a city ordinance provides for a chief of police and two deputy chiefs and fixes their powers and duties, the establishment of another office such as assistant chief without amendment to the ordinance specifically establishing the position of assistant chief is invalid; and an attempt to establish the position by budget appropriation is insufficient means of establishing the new office. (*Sullivan v. Martensen*, 43 Atl. [2d] 731, Conn.)

**Similarity of Positions—Discretion of Commission.** The determination as to whether a position of senior attorney in the Department of Taxation and Finance is substantially similar to that of assistant counsel in the Department of Public Service in terms of qualifications and equivalence of examinations held for the respective positions is for the civil service commission to determine in its discretion, based upon its inquiry as to the nature of the duties and qualifications of the positions involved. Neither reemployment nor transfer from one to the other position may be compelled without the approval of the commission, based on similarity of qualifications for filling the places. (*Kroyer v. Conway*, 60 N. E. [2d] 449.)

**Veterans' Preference—Unconstitutional Appointment by Court Order.** A Montana statute which sought to grant preferences in appoint-

ments to war veterans, and which empowered the court to determine whether the preference law has been complied with and requiring the court to direct the appointment of a war veteran where the department head had failed to do so, was held to be unconstitutional as an improper delegation of executive authority to the courts. (*Application of O'Sullivan*, 158 Pac. [2d] 306, Mont.)

**Scope of "State" Service**—A sewerage commission created by the legislature for any political subdivision or part of the state is in the service of the state government, as distinguished from being an employee of a local division or municipality. (*Brickett v. Lagay*, 43 Atl. [2d] 510, New Jersey.)

**Retroactive Covering In of Former Employee.** A special statute which sought to amend the civil service act establishing the Fulton County, Georgia civil service system by declaring that a named person specified in the statute, who had been discharged as a county employee before the civil service act of 1943 became effective, should be deemed to be a county employee as of the effective date of the civil service act and entitled to all the privileges thereunder, in face of a court decision which had held that he was not legally in such position at the time of the effective date of the law, is unconstitutional as a legislative impingement on the judicial and executive powers of the state government. (*McCutcheon v. Smith*, 35 S. E. [2d] 144, Georgia.)

**Tenure of Office—Dual Offices.** Where a chief deputy sheriff, serving as such in the classified service, is by statute authorized to fill an unexpired term of the sheriff in the event of a vacancy, he reverts after his temporary elevation to his former classified position, even though the office of sheriff was in the unclassified service, notwithstanding that the unclassified service includes "persons appointed to fill vacancies" in an elective office vacated during its term. (*Foster v. Brown*, 34 S. E. [2d] 530, Georgia.)

**Salary Increase—Power of Civil Service Board.** The City Council of Dearborn, Michigan, because of the unique provisions of the city charter, may not order additional compensation for municipal employees to cover the cost of living increases without the consent of the city Civil Service Board. The charter specifically provides that the Civil Service Board shall have the duty of preparing a salary plan, to be submitted to the City Council for approval. The court held that the provision clearly

requires action by the Civil Service Board to increase the salary of city employees, and that such requirement does not violate the constitutional principle of separation of governmental functions between the executive and legislative branches. (*Local 321 v. City of Dearborn*, 19 N. W. [2d] 140, Michigan.)

**Salaries—Waiver of Compensation Rate Fixed by Law.** Where compensation of a public officer has been established by law, an agreement on the part of the officer to accept a lesser amount has been declared to be invalid as contrary to public policy. (*Allen v. City of Lawrence*, 61 N. E. [2d] 133, Mass; and *Malcolm v. Yakima County School District*, 159 Pac. [2d] 394, Washington.)

**Liability for Employee's Negligence.** The city was not held liable for damage resulting when a fire company attached a hose to a hydrant some 1100 feet from the fire and there was insufficient hose to reach the conflagration, even though there was another hydrant only 200 feet from the fire. The oversight of the firemen was not held to make the city liable, since it was performing a public and governmental function, as distinguished from a proprietary service. (*Ireland v. Henrylyn Irr. Dist.*, 160 Pac. [2d] 364, [Colorado].) However, where the City of San Diego, through its Harbor Commission, rented a power crane and operator to the lessee of tidelands for the purpose of lifting an engine from a boat docked at the harbor, the acts of the Commission and crane operator were not deemed *ultra vires*. The city was held liable for injuries sustained by the lessee's employee when the engine fell from the crane boom. (*Ravettino v. City of San Diego*, 160 Pac. [2d] 52, [California].)

**Official Bond—Limitations on Action Against Surety.** An official bond containing only the usual conditions requiring the faithful performance of duties of the office, and an accounting for moneys coming into the hands of the officer or employee, does not govern penalties, forfeitures and other amercements superimposed upon the officer over and above the damages resulting from his wrong, unless especially so provided by statute. (*State v. Richards*, 34 S. E. [2d] 271, West Virginia.)

**Demotion.** A patrolman assigned to the detective bureau and subsequently retransferred to the rank of patrolman, with no reduction in pay, was not deemed to have been demoted in the sense of "removal" from his position, and there was no requirement of a statement

of charges and right to a hearing, as would be required in disciplinary action. (*Tremp v. Paten*, 42 Atl. [2d] 834 [Conn.].)

**Abolition of Position.** Where the statute provides that it shall not apply to a local jurisdiction with a police force of less than three members, the local jurisdiction may properly reduce its police force so as to exempt itself from operation of the statute. Those whose positions are abolished cannot challenge the right of the local jurisdiction to do so in the absence of proof of deliberate fraud, for the right to abolish positions in good faith is inherent in any public agency. (*Simasek v. Borough of McAdoo*, 42 Atl. [2d] 600, Pennsylvania.)

**Suspension.** The power of removal embraces the power to suspend a public employee for a definite period as a disciplinary measure. However, an indefinite suspension of a public employee by way of discipline without following the requirements of the statute relating to removals is not permissible, for such indefinite suspension is deemed to be equivalent to a dismissal. (*Vanderbach v. Hudson County Board of Taxation*, 42 Atl. [2d] 848, New Jersey.)

**Removal Procedure—Conflict of State and Local Law.** The Ohio civil service provisions relating to removal supersede all local charter provisions or ordinances relating thereto. Failure by the City Manager of Akron to prefer specific charges for the reduction in rank of a police captain to lieutenant and give him an opportunity to file an explanation as required by the state law resulted in the reinstatement of the police captain. Notification by letter that the captain's services had not measured up to the standards required and that he was reduced to his former rank was deemed insufficient under the Ohio law. (*Crabtree v. Eichelberger*, 61 N. E. [2d] 818, Ohio.)

**Cause for Removal.** The chief of police removed by the city council for failure or refusal to enforce traffic ordinances during a bus drivers' strike was held to be sufficient cause for removal; and the findings of fact thereon made by an administrative agency in compliance with law will not be disturbed on appeal if such findings are sustained by any substantial evidence. (*Nelson v. State, ex rel Quigg*, 23 S. E. [2d] 136, Florida.)

**Judicial Review—Modification by Commission.** The determination of the city civil service board in rescinding dismissal of an employee and directing his suspension without pay, if the local law authorizes it, was held as within the

discretion of the civil service board. (*Schubert v. Forrester*, 19 N. W. [2d] 96, Michigan.) The board found that the employee had been the victim of confusion as to which authority to recognize—the superior officer of the department or an outside agency presumably having concurrent authority in administering affairs of the agency.

(*Editor's Note: Compare Griffin v. Thompson*, 95 N. E. 7, New York.)

**Improper Removal—Back Salary.** Where an employee's right to reinstatement because of improper dismissal has been ordered by a court, and the city appeals therefrom, the employee is entitled upon ultimate reinstatement to salary accruing since the original court order of reinstatement, notwithstanding that a *de facto* employee has been paid for performing the work during the period of appeal. (*Corbett v. City of Chicago*, 62 N. E. [2d] 693, Illinois.)

(*Editor's Note: In most jurisdictions the general rule is that the salary earned by the dismissed employee during the period of his dismissal may be deducted from the salary accrued.)*

**Removal After Fixed Term.** An employee appointed to serve at will of the appointing power, or one appointed for a fixed term who continues to serve after expiration of his term without reappointment, is, in the absence of any law to the contrary, subject to summary removal without notice or reason. (*State v. Myers*, 19 N. W. [2d] 745, North Dakota.)

**Privileged Testimony in Public Investigation.** Dismissal of a civil service examiner who was charged with having handled examination papers carelessly, but whose removal was based primarily on the ground that he had testified at a public investigation of the commission and had made false public criticism of the commission, was ordered reinstated on the ground that his testimony before the investigating committee was privileged. (*Berg v. Marsh*, 61 N. E. [2d] 450, [N. Y.].)

**Grounds for Dismissal.** Dismissal of a police officer who admittedly unnecessarily entered into financial arrangements to insure passing grades in an examination for sergeant was upheld, even though the police officer had properly attained eligibility on the promotion list. The fact that the department head might have been biased in his judgment because of public criticism involving the department was no sound basis for reviewing disciplinary action. (*Hawkins v. Hunt*, 160 Pac. [2d] 357, [Colorado].)

**Disability Compensation—Constitutionality.** A statute providing for payment of full salary during temporary incapacity of policemen or firemen resulting from injuries sustained in performance of duty is not an unlawful payment of money, and is not a "gratuity" prohibited by the state constitution. The best interests of the municipality and not of the disabled officer was held to be the cause for enactment of the statute, and was within the police general welfare powers of the state. (*Iben v. Borough of Monaca*, 43 Atl. [2d] 425, Pennsylvania.)

**Retirement—Suspension of Allowance While Employed.** A local law providing for the suspension of retirement allowance while a retired fireman is employed by another public agency, such as the federal government, was held to be not an impairment of the obligation of a contractual relationship between the city and the retired employee. (*Franklin v. Mayor of Savannah*, 34 S. E. [2d] 506, Georgia.)

**Retirement—Request Automatically Required.** Where a statute expressly provides that the pension trustees shall retire an employee disabled in the course of his employment upon application of the employee, it is the duty of the police commissioner to submit such application to the pension trustees. He has no discretion in the matter. His function is merely to submit the application to the board of trustees, and it is the latter alone which has the power to determine whether the disability pension shall be granted. (*State v. Huffman*, 187 S. W. (2d) 850, Missouri.)

**Retirement—Unequal Contribution Rates.** A public pension plan which deducts unequal percentages of wages of firemen holding second, third and probationary classes, as compared with firemen of the first class, is not construed by the court as being invalid class legislation. (*Sullivan v. City of Omaha*, 19 N. W. [2d] 510, Nebraska.)



# THE BOOKSHELF



**Civil Service in Wartime.** Leonard D. White, ed.  
University of Chicago Press. Chicago, 1945.  
246 p. \$2.50.

During the war, the Charles R. Walgreen Foundation has sponsored at the University of Chicago several groups of lectures assessing the contributions to the war effort of a number of important American institutions. The most recent series of these lectures, now published under the able editorship of Dr. Leonard D. White, is appropriately devoted to the timely subject, *Civil Service in Wartime*. The ten lecturers and their respective topics were as follows:

Leonard D. White, Professor of Public Administration, University of Chicago, "The Scope and Nature of the Problem."

Herbert Emmerich, Director, Public Administration Clearing House, "The Search for Executive Talent."

Merriam H. Trytten, Director, Office of Scientific Personnel, National Research Council, "The Mobilization of Scientists."

John McDiarmid, Assistant Chief, Examining and Personnel Utilization Division, United States Civil Service Commission, "The Mobilization of Social Scientists."

Leonard Carmichael, formerly Director, National Roster of Scientific and Specialized Personnel, "The Nation's Professional Manpower Resources."

Arthur S. Flemming, Member, United States Civil Service Commission, "The Mobilization of Personnel for the Field Establishments of the War and Navy Departments."

Frank Bane, Executive Director, Council of State Governments, "The Citizen Civilian Army."

Edgar B. Young, Executive Assistant, Division of Administrative Management, United States Bureau of the Budget, "The Control of Government Employment."

Egon F. Ranshofen-Wertheimer, Special Consultant and Research Associate, Carnegie Endowment, "The International Civil Service of the Future."

Louis Brownlow, formerly Director, Public Administration Clearing House, "Successes and Failures."

Through these lectures runs a note of triumph which should be music to a maligned

public service. Here at last is praise for the achievement of men and institutions sometimes accused of incapacity to meet the requirements of expanding government in the crises of global war. It is good to read: "A great job has been done;" and, with victory, "the flexibility of our democratic institutions will have been vindicated."

These lectures analyze that flexibility. Leonard White opens with an incisive description of the major forces which war brought to bear on established personnel machinery. He pictures the efforts made by war agencies to break down the central authority of the Commission. He tells how, through Commissioner Arthur Flemming's boldness before Congress, that authority was conserved, and how the decision to conserve it was amply justified. This is the substance of history.

Not that the going was easy, or the resulting operations wholly satisfactory. Far from it. Among difficulties listed, Dr. White mentions the continuing "lack of agreement" between the Commission and the departments concerning the scope of their respective responsibilities. It seems to me possible to believe that the areas of responsibility may be defined, and yet that inability or failure of some of the departments to do their part forces the Commission into areas of operation which it well knows belong to management. As an example, personnel utilization is a responsibility of management; yet, in default of effective action by the departments at a time of critical shortage, the Commission was forced to make unpopular utilization surveys which stirred up much ill will. Dr. White also describes the extent of expansion of employment and the successive steps taken by the Commission to do successfully the job required within deadlines of time required by the war emergency.

In "The Search for Executive Talent," Herbert Emmerich emphasizes the contribution made by dollar-a-year men and other businessmen attracted to the public service by patriotic motives and as a result of high-pressure "requests" upon industry during the early days of war expansion. He describes their lack of government "know how," which required career administrative workers to take over their essential housekeeping functions if the job was to be done. He points out the need to de-

velop career executives with wide enough vision to maintain in peace time a more dynamic government administration—men who would also be competent to shoulder responsibility in the event of future crisis. He points out that businessmen, confronted with a complex scale of operations and relationships which make the greatest private business seem puny, lacked patience with essential procedures, were irked by necessary controls, resented the system of clearances without which the war effort would have failed, and objected to justification of their needs and methods before the Budget Bureau and Congress. From this it would appear that there is substance to the adage that American business lives in an ivory tower, nurturing colossal ignorance of the democratic process. Yet, as Mr. Emmerich says, these men "stayed at their jobs, and accomplished them, and in many cases gained a real sympathy for and understanding of government." So, also, the civil service learned much from them.

Mr. Emmerich states that the Civil Service Commission "was not able to supply many (executives') names which were acceptable," in part because these "operating officials tended to be secretive about their personnel needs and failed to describe adequately the kinds of persons for which they were looking." Therein is stated the core of conflict, in peacetime as well as war, between exempt administrators in government and the merit system.

Mr. Emmerich urges higher executive salaries, better supervision of agency hiring for exempt positions, more versatile career executives, and a Civil Service Reserve Corps. The latter, because of peace-time educational and training possibilities, is a vastly interesting suggestion.

"The Mobilization of Scientists," by Dr. Merriman H. Trytten, mentions the long neglect of government research laboratories and scientific services in peacetime. "The crippling lack of funds from which they had suffered for two decades and the consequent lack of top-flight scientific personnel," he says, made it necessary to contract for much of the scientific work imperatively needed in wartime. Thus recruitment of scientists for government work became as much an industrial as a civil service problem.

This recruitment problem is discussed from another approach by Dr. Leonard Carmichael in "The Nation's Professional Manpower Resources." Together with the Office of Scientific Research and Development, the National Roster of Scientific and Specialized Personnel served industry as well as government. For public positions, however, Dr. Carmichael

points out that there was a close tie-in with the Civil Service Commission, which joined in direct recruiting programs and passed on the adequacy of qualifications of scientists appointed to the federal payroll.

Dr. Trytten questions how well the "multiplicity of civil service laws and regulations" were or could be adapted to the exigencies of speed in scientific recruitment. Dr. Carmichael's comments and the record itself indicate that Dr. Trytten was over-skeptical. Nevertheless he continues to assert that science is "innately different" from every other field of employment.

We see other facets of the picture in the address by John McDiarmid on "The Mobilization of the Social Scientists," and in Arthur Flemming's "Recruitment for the Army and Navy." What stands out most clearly is that, whenever demanding agencies were willing and knew how to cooperate with civil service, they fared much better than did the prima donnas who tried to do the job alone.

Joint resources of the prospective employer and the Commission, which coordinated the additional resources of professional societies, our universities and industrial laboratories through O. S. R. D. and the National Roster, provided a wider range of selection than any one employer could tap alone. Moreover the elimination of competitive recruiting, with repeated interviewing and evaluation, saved time and avoided what would otherwise have been an indefensible amount of duplication.

Commissioner Flemming outlines the Commission's decentralization which made possible recruiting in the field and enabled immediate hiring of eligibles. Competitive rating was dispensed with because all those who were qualified could be promptly placed. Mr. Flemming also describes the planning and scheduling of recruiting activities in shifting areas of labor supply, and the government's own observance of priority controls.

Over seven million persons were found by the Commission to be eligible under adjusted standards and were appointed during the war. Its coverage was 95 per cent of all positions, the highest in history. Thus the institution met the tests of time and service, and the Commission itself received commendation from both Army and Navy for its contribution to total victory.

Frank Bane contributes a fascinating chapter on the rapid organization of the thousands of volunteer citizens into operating local rationing and selective service boards throughout the nation. The task of recruiting, and making

nominations, was handed over bodily to the states. Mr. Bane does not mention some of the difficulties that resulted from ensuing independence, and the inalienable right of individual boards to go wrong. Theirs was a thankless task of great difficulty requiring local understanding and devotion. The miracle is that their job was so swiftly and successfully accomplished—not that some individuals suffered in the process.

Edgar Young presents an urbane discussion of the Budget Bureau's effort, by Congressional direction, to review and limit the number of workers in federal war agencies. This program was decidedly unpopular. But with administrators unable or unwilling to measure their own requirements, the Budget Bureau plan appears more practical than any other method that could have been employed. Few critics appreciate that normal measures of man hours required to do a job with skilled workers are inaccurate in war, when a large part of the available manpower has been recruited from the "bottom of the barrel." The analysts found surprisingly little waste.

Writing on the personnel problems of an international organization, Dr. Egon Ranshofen-Wertheimer lists important conflicts which do not beset a purely national or local program. At the same time he shows that all the familiar problems of staff and line responsibility are vastly magnified. Much of the success of the United Nations Organization will depend upon the answers to questions here posed which merit the thought of experienced personnel administrators everywhere. The author is himself optimistic, and yet his proposed central pattern for a staff advisory and investigating office, without power to initiate a program or review procedures to be used, seems only another design for assisting authorized chaos.

Louis Brownlow utters in summation the final measure of praise for our civilian workers in the war effort. "I find myself without words," he says paradoxically, "with which adequately to describe the success that has crowned the efforts of these millions of men and women who have together wrought the mightiest miracle recorded in all the history of man." Next he credits the Civil Service Commission with having adapted itself to the demands made upon it, and with doing "practically the entire job" and doing it well. Whereupon he adds "I believe that, even now, the Civil Service Commission as a Commission should be abolished." For this he makes no new case. Commissioner Flemming says the

Commission is now studying ways to preserve the gains Mr. Brownlow admires in wartime practice. I am confident that this can and will be done.

This book is too important for anyone interested in personnel administration to miss. Out of war experience comes impetus. Personnel administration has moved ahead.

SAMUEL H. ORDWAY, JR.  
New York City

**Men at Work: Democratic Methods for the Power Age.** Stuart Chase. Harcourt, Brace and Company. New York, 1945. 146 p. \$2.00.

Mr. Chase has again written interestingly of technical subjects, bringing them down out of the special vocabularies and jargons of research into the more livable area of everyday talk. He does this sleight of hand through writing case histories, almost anecdotes, of situations which bolster his thesis that the machine age, with its compulsions of industrial employment and its requirements of planning, can be fitted to the inner drives of men. Men desire freedom to set their own ends and establish their own speeds in reaching them, but they must work in factories where the production line sets the goal and the pace, and live in a system in which planning takes a greater and greater part in social organization. Mr. Chase's purpose is to show that management can provide outlets for the aspirations of employees and that planning can be done without resort to imposed controls.

Management and government can justify such an approach not only because it makes people more significant to themselves but also because it increases production and raises the effectiveness of planning. In other words, the worker and the citizen represent a huge reservoir of skill and ability, a reservoir which the specialists in scientific management, with their stop watches and "stretch-outs," and the specialists in planning, with their blueprints of a "logical" society, have often ignored. Furthermore, all the scientific management and all the scientific plans will be meaningless without the active support of employees or citizens. The price of that support is their participation.

The first part of the book is devoted to accounts dealing with relationships of men to their jobs, with examples from both industrial and governmental situations. One example is a recital of the well-known Hawthorne studies made as dramatic as a Sunday supplement. Here, too, are accounts of the "J" programs of the Training Within Industry group, first reported by Mr. Chase in the *Reader's Digest*. A

study of the Social Security Board's amazing job of handling a 30 per cent increase in work, with a 20 per cent decrease of staff, occupies a similar place. Finally, Mr. Chase summarizes the work of labor-management committees in private industry during the war, showing forcefully the part of the committees in making war production in the United States a compelling force in victory.

These accounts all emphasize the same point—that as employees participate in making decisions which affect them, their personal satisfactions in doing their jobs increase, they join with management in developing more effective methods of work, and as a direct result, production soars. Mr. Chase implies clearly that this result will occur, regardless of the situation in which the participation takes place, whether in government or in industry.

In his discussion of labor-management committees, he notes in passing, employee organizations and labor unions have a significant part to play. But he does not mention the Golden and Ruttenberg volume, *The Dynamics of Industrial Democracy*, which is the classic analysis of the way in which labor unions and industrial management have created an atmosphere and a method of joint effort, with startling results. Mr. Chase does point to the fact that labor-management committees are the third step in labor-management relations, the first two being recognition of labor organizations as representatives of employees and establishment of genuine collective bargaining procedures. I believe he could have saved overly-enthusiastic managers from missteps if he had made clear the crucial part which employee organizations must play in a large organization as representatives of employee groups. Effective employee organization forms the basis on which joint effort between management and employees can be built. This fact is not yet widely understood. I have heard, for example, practitioners of "scientific management" who were "selling" (to use their word) their techniques to management as a means of preventing employee organizations from becoming established. Remove employee representation, and the efforts toward "efficiency" often descend into the type of thing represented by the "stretch out" and Bedeaux systems, which have become famous for their ability to create resentment and dissension.

The last three of Mr. Chase's accounts deal with the broader field of the relations of men to the growing necessity for planning. Mr. Chase states flatly that the days of *laissez faire* are past, and that planning must assume a greater role

in human affairs. He has a happy conviction, however, that just as management can create situations in which the aspirations of employees are recognized and furthered in their work, so planners can recognize and satisfy the aspirations and desires of citizens. The trick is much the same in both situations. Plans can become reality only as citizens accept, adopt, and execute those plans, unless the planners themselves are given dictatorial powers to force the adoption of their ideas. Planning is necessary, but equally necessary in democracy is the participation of those who will be affected by the plans. Mr. Chase gives examples of how this has been done: accounts of a hundred sharecroppers in "Swampeast Missouri," regaining economic opportunity through a Farm Security program; of citizens of Elma, Washington, painfully drawing a realistic picture of their town's future, and setting their faces toward it; of people in the Tennessee Valley gradually growing toward solutions of their own difficulties in their own way. In each example, experts and specialists have their part, but their part is partnership, not control. People, ordinary folk, participate, making the major decisions, being active and responsible. The result of active participation and responsible action by the people themselves is clear. Given an opportunity to participate, people slowly reassume responsibility and develop more and more of their own momentum in solving the problems which affect them. Mr. Chase quotes the way the *Daily of Decatur*, Alabama, in writing about TVA, puts it: "We can write of great dams. Yet the significant advance has been in the thinking of a people. They are no longer afraid. They have caught the vision of their own powers."

*They have caught the vision of their own powers.* To those of us who believe in both industrial and political democracy, there could hardly be a more stirring phrase. To be sure there are some, both in managerial and governmental positions, who would prefer a fiberless group, dumbly following a "select leadership." Mr. Chase's book will be of no comfort to them, since it suggests that they are not only subverting the dignity and worth of those over whom they have control, but they are in the last analysis grossly inefficient. Their short-term results ignore and thwart the amazing contribution which can be drawn from the minds and hearts of the worker and the citizen. To others, however, Mr. Chase's book is encouraging evidence that faith in democracy is more than a Fourth of July theme. It is a

procedure which strengthens and illuminates men's lives, men's work, and men's communities.

W. J. McGLOTHLIN  
Personnel Department  
Tennessee Valley Authority

**Management at the Bargaining Table.** Lee H. Hill and Charles R. Hook, Jr. McGraw-Hill Book Company, Inc. New York, 1945. 300 p. \$3.00.

In this book two industry members of the National War Labor Board, with considerable experience in industrial relations, discuss the problems of management in the collective bargaining process. The authors recognize the empirical nature of collective bargaining and present their discussion frankly from "management's point of view" in pointing out issues that must be carefully considered by management if collective bargaining is to be a constructive force in employer-employee relations.

In Part One of the book, collective-bargaining agreements are functionally classified into several groups of clauses: union protective; management protective; employee protective; seniority; grievance handling; and miscellaneous. Each type of clause is considered and analyzed with respect to its purpose and effect, the discussion being documented with illustrations from actual contracts and War Labor Board cases. The second part of the book is concerned with the procedures and techniques of negotiation including procedures before the War Labor Board.

Negotiation of a collective bargaining agreement is recognized as being only one, although perhaps the most dramatic one, of the several phases of collective bargaining, which in turn is only one aspect of the field of employer-employee relationships. Implicit in every step of negotiations, however, and in every agreement clause are factors which influence industrial relations. There is no general determination as to the proper areas of collective bargaining. Suspicion on the part of both management and union of intentions to undermine or encroach in their respective fields contributes to continued lack of clarification on this point.

In a general approach, the authors recognize three parties in a collective-bargaining agreement—management, union representatives, and in third place, the employees. The interests of this third party may tend to be overlooked in the self-protective sparring of management and the union. Extension of protection to un-

ions by law and through bargaining agreements tends to be accomplished at the expense of the rights of individual employees. Here the importance of the individual employee is stressed. The motivation, desires and needs of the employee as a distinct personality are indicated as serving as a sometimes neglected reference point in the bargaining procedure. Some evidence is adduced to show that recognition of employee needs may produce a better contract than one reflecting only the viewpoints of management and the union.

The various means of attaining union security, including the several degrees of compulsory union membership, union activity on company premises, and distribution of union literature, should be considered both from the viewpoint of their effect on management and their effect on satisfactory operation of the bargaining process.

Throughout the text the concept is emphasized that effective bargaining and constructive employer-employee relations require that management and the union must accept each other as being supreme in their respective fields of managing the business and representing the employees. Management's functions are construed to be those which it must have to carry out the managing of the enterprise. These stem from the legal rights of the employer as owner of the premises and include determinations of whom the employer will admit on the premises, under what conditions, and restrictions of conduct on the premises. In addition, the employer has the function of organizing, arranging, and directing men, machinery, materials and money to achieve the objectives of the business. Specifically, in this area management has responsibilities not only to employees but to owners, the customers and the community.

In recognition of these responsibilities, management cannot succeed if it delegates its functions by mutual consent clauses, labor management committees, seniority limitations, or unlimited arbitration agreements. Areas wherein these delegations are sought by unions sometimes include production control, discipline, transfers and promotions, and have extended to include discipline of management personnel. The pitfalls open to management in accepting innocuous appearing phrases are described in considerable detail, with emphasis being placed on the point that protection of management rights is not a matter of defending technical rights alone, but is rather a matter of protecting the freedom and authority

that management must have if it is to discharge its responsibilities.

Management controls deemed necessary include managerial discretion in such matters as disciplinary measures, transfers, promotions, hiring, discharges, training, layoff, probationary determinations and limitations on seniority controls. Further, management must determine products to be manufactured, plan production, decide on location of plant, control work assignments and methods, and leaves of absence.

Although collective bargaining, as such, is not directly encountered by the typical public personnel administrator, the problems and principles involved are basic to personnel administration, public or private. Some of the items covered by clauses in collective bargaining agreements in private enterprise are handled in the public service by basic legislation, by rules of public personnel agencies, or by more general administrative regulations. In any event, the subject matter will be found pertinent to any jurisdiction, whether or not its employees are organized.

Although written from management's point of view, the material is presented objectively and can well serve as a refresher course in labor-management matters, for the text ranges from such elementary items as the pros and cons of the closed shop to an analysis of the functioning of the War Labor Board.

CHARLES A. MEYER  
Detroit Civil Service Commission

**Government Jobs and How to Get Them.**  
Sterling D. Spero, ed. J. B. Lippincott Co.  
Philadelphia, 1945. 358 p. \$2.95.

Supplying the public adequately with information about government jobs is one of the daily pressing problems of civil service commissions. The United States Civil Service Commission once issued short pamphlets describing single occupational areas. "Working for the Federal Government," which it has recently published, gives a brief, over-all picture of the occupations providing the most numerous job openings. At least one state civil service commission and several city commissions have issued similar guides. The United States Employment Service has also tried its hand at describing government as an employer. The tremendous number of different kinds of jobs that are to be found in governments is a stumbling block in

the way of successful solution of this problem. In the federal service, for example, it is estimated that more than 5,000 different classes of positions exist.

Mr. Spero, the editor of this book, has always been on the side of the little man. He is well known as a champion of labor. From this record, it is evident that he assembled this book to meet the needs of the general public. He and his associate editors have presented for the layman information about more than five hundred kinds of federal jobs. Federal pay scales, retirement benefits, and hours and leave are clearly and quite accurately described. A section on state and local merit systems gives general information about applying for jobs, examinations and veterans' preference in those jurisdictions.

The style of the writing is shown in the following two sentences taken from the same paragraph: "These salaries (\$1200 to \$2000 a year) are largely for clerical and mechanical work and are higher than those paid for comparable work in private enterprise. . . . Employees in high administrative or technical positions are at a disadvantage so far as salary is concerned when working for the Federal Government."

It is unfortunate that this book was issued at a time when qualification standards are changing so rapidly. In the federal government the basic experience requirements for admission to examinations, educational standards, even pay rates are being modified radically. This does much to detract from the value of Dr. Spero's efforts.

An example of his editorial difficulties is found in his treatment of educational requirements. After noting that educational requirements were abolished by the Veterans' Preference Act of 1944 for "virtually all civil service examinations except for positions such as medical officer, dentist, veterinarian, and teacher," the editors include educational requirements in many job descriptions where such standards have been radically altered or dropped.

A bound book is probably an inadequate medium for Dr. Spero and his fellow editors. A loose-leaf reference service would have been ideal, but could it be sold? The answer is needed by all of us interested in this field.

ROSS POLLOCK  
United States Civil Service Commission

# Current Literature

Articles of Interest in the  
Public Personnel Field

## Personnel Administration—General

Arthur, Guy B. **Personnel administration looks ahead.** *Management Review* 34 (4) April, 1945: 130-132.—During the next six years we may expect many changes affecting personnel administration. New legislation is likely to place more effective bans on employment discrimination based on race, color or creed; to provide greater governmental control over the health and safety of employees; and to assure union members of fairer treatment by unions. The law should provide for making unions more responsible and accountable for their actions. We can also expect a single government agency to integrate and carry out all federal adjustment machinery. Despite the foregoing attempts to ease labor relations problems there is almost sure to be a year or two of the bitterest labor strife we have ever witnessed. This will result from attempts to build up union membership lost at the war's end, inter-union and intra-union competition, organization of industries not yet touched, unionization of foremen and office workers, attempts of unions to keep or regain wartime gains and add to them, and pent-up feelings of both management and unions caused by governmental control during recent years. There will be an intensification of job evaluation, scientific selection of employees, merit rating and training. The handicapped will receive more attention as will other aspects of the protection of human resources. Certain responsibilities will be transferred from staff personnel departments to line officers—for example, final selection of employees, discipline, discharge, promotion and settlement of grievances. A higher type of personnel administrator should emerge—a specialist in handling people.—*Gordon W. Peterson.*

Furnes, Chester. **Personnel and finance.** *Public Administration* 23 (1) Spring, 1945: 12-20.—The functions of an international secretariat are to make the necessary preparations for the discussions and decisions of the meetings of national delegates and to communicate the decisions to the governments whose task it is to put them into execution. This demands the existence of a body of men and women able to take and present the international point of view, and never more so than when there is a clash between national and world interests. It is necessary that the staff should be free from

national bias and immunized against national pressure. Temporary national appointments can have very useful results both for the officer himself and for his international colleagues, as well as for the national department to which he will return. But experience has shown that there must be a hard core of international officials holding life appointments from and owing allegiance solely to the international institution itself. To combine the need for satisfying national demands for an adequate allotment of posts with the no less imperative need for securing men and women of the requisite calibre will be an extremely difficult task, especially when we remember the great diversity of national civilizations and administrative methods and traditions. For a service in which character is of paramount importance the interview is indispensable, and should probably command marks as high as those given to the examination, and, perhaps, even higher. The officials of a world organization are required, by the nature of their work, to travel frequently and extensively. Some international passport, which will be recognized at least by that state members of the world organization, would appear to be indispensable. For reasons of economy, convenience and efficiency it will almost certainly be found necessary to achieve a far greater measure of unification of the different staffs and administrations than was possible in the past. Serious consideration should be given to the possibility of setting up a central administrative commission for all staff matters, including recruitment. The sources of income open to an international agency include the annual contributions of state members; gifts; receipts from sales; fees for services rendered; and annual contributions of unofficial bodies. Immunity from direct and, as far as possible, from indirect taxation is extremely important.—*William C. Rogers.*

Stone, Donald C. **Notes on the governmental executive: his role and his methods.** *Public Administration Review* 5 (3) Summer, 1945: 210-225.—The executive's concept of what his job is and the way this affects the scheduling of his time and talents will be a primary factor in the results he secures. He should use a major portion of his energy in being the catalyst who assimilates and draws together the ideas of others, resolves lines of action, gets agreements

nailed down, and sees that action is taken. In order to do so he must be careful not to perform work which should be the responsibility of someone lower in the organization. He must learn to save his time through utilizing his personal staff—secretary, administrative assistants and special assistants—to see some of the people who wish to see him, to arrange meetings, to sort out the most pressing problems for his immediate attention, and to gather information. He must learn to use operating aides—his deputy or a principal assistant and his division heads—to share his operating burdens. He must teach his staff to save his time by the proper preparation of problems and papers before they are transmitted to him. It will not profit the executive a great deal to be a genius in the management of his time, however, if he does not take steps to forge strong links between himself and the other elements of his organization. He must learn to use in their most effective manners the small conference, the general staff meeting, and the written communication. Neither will his personal activities amount to much if his agency is not so organized that he can know what is going on. He must learn to organize the vast array of papers which he is required to sign so that he may glean information from them. He must learn to use his general staff—the budgeting, program planning, personnel, and organization and methods planning divisions. And he must learn to organize his main operating divisions so that they are neither so many that his time is consumed in co-ordination nor so few that important details of operations are concealed under many layers of supervision.—H. Richard Rice.

#### Veterans

**Donovan, J. J. Reinstating our returning veterans.** *Public Management* 27 (7) July, 1945: 194-97.—The current large-scale release of veterans will undoubtedly result in a sharp increase in the number of city employees who will be returning from military leave. City officials will want to know what other cities have been doing to prepare for the return of veterans and to be certain that they themselves have taken advantage of every possible opportunity to provide properly for their own employees. Although not legally required to follow the regulations of the national Selective Service system with regard to the reinstatement of veterans, most cities have voluntarily followed both the letter and spirit of the law. In fact, a recent survey conducted by the Civil Service Assembly among public personnel agencies throughout

the country disclosed a number of instances in which returning veterans are given additional benefits beyond those required by the law. In some cases, for example, the city contributes both its own and the employee's share to the retirement system during the employee's absence; in others, sick leave policies have been broadened to give the returning veteran credit for the regular amount of sick leave to which he would have been entitled had he remained in his job; and in other cities, the veteran is given credit for his regular vacation for the period of military service. Because cities in general have been understaffed during the war years, few anticipate serious problems in reabsorbing employees who return from military leave. This is particularly true since many cities have adopted a general policy of "war duration appointments" to fill the jobs of those in the armed forces. Several cities have set up centralized machinery for handling veteran problem cases which may arise. In a number of jurisdictions cities have been making so called "physical demands" job analyses for the effective placement of disabled veterans. Other cities are liberalizing their transfer policies for better placement of veterans. Not all cities, however, are equally well prepared to meet the influx of returning veterans and some will find that their opportunity to establish a veteran program at their leisure has already passed.—Barbara Brattin.

**Bacon, John C. The serviceman's right to retain his state office.** *The George Washington Law Review* 13 (4) June, 1945: 453-468.—A problem arises when state courts have to decide whether state and municipal officers who have entered the military service of the United States have forfeited their civil offices. To evaluate decisions under state constitutional provisions which prohibit state officers from holding an office of trust or profit under the United States, under state statutes which save offices to incumbents and provide for investment in others of the duties to be performed in their absence, and under the common law concept of incompatibility of office, it must first be determined what constitutes an "office" and what constitutes an "office under the United States." A late Pennsylvania case declared the office of township commissioner had been vacated when the incumbent was inducted into the Navy as an enlisted man. Federal courts follow the settled rule that an enlisted man is not an officer of the United States. State courts also have held contrary to the Pennsylvania court. Perhaps state decisions are more impor-

tant for the state office-holder entering the service since he must look to the courts of his own state to protect him in his office. By a preponderance of decisions, an enlisted man is not an officer under the United States and induction into the service should not cause a forfeiture of state office. The weight of authority concludes that a commissioned officer whose service is of a reserve or temporary status is not considered as holding an office under the United States which would disqualify him from holding and retaining a state office. Prior to the present war, there were many decisions finding forfeiture of state office based on strict interpretation. Since the beginning of the present war, however, the majority of opinions have held against forfeiture of state office even though the incumbent has become a commissioned officer of the United States. Although constitutional provisions against dual office-holding, if applicable, would override any statute enacted to save to servicemen their state offices while they were serving the United States, the tendency today is for the courts to find the constitutional provisions inapplicable and uphold the statute.—Michael Levine.

#### Classification; Pay

Lawshe, C. H., Jr. **Studies in job evaluation: the adequacy of abbreviated point ratings for hourly paid jobs in three industrial plants.** *Journal of Applied Psychology* 29 (3) June, 1945: 177-184.—A previous study examined the psychological methods of one of the most widely used job rating systems. This investigation was to determine the degree with which abbreviations of the system would yield the same results and to examine the differences. Data from three plants were gathered including intercorrelations between all eleven ratings factors and the total score. It was found that a combination of two factors yielded a higher coefficient of correlation with total point scores than the highest single item, but that the addition of a third factor was not significant. An analysis of Plant A showed that if only three, instead of the original eleven, factors were used, sixty-two per cent of the jobs would remain in the same labor grade, thirty-seven per cent would differ by one grade, and slightly less than one per cent would differ by two grades. Because of overlapping pay rates for the several labor grades in the plants studied, the practical effects of such differences are not important, much less important than differences among successive ratings at different times using the same system.—Kenneth E. Dougan.

#### Selection; Tests

Benton, George B. **Hiring employees who "fit."** *Executives* 23 (6) June, 1945: 1-2, 8.—The Minneapolis Honeywell Regulator Company today has a staff of employees "tailor-made" to fit its needs through the use of a program of hiring and training based on pre-employment tests. Developed through trial and error, the program represents a change in selection methods from the former one-person interviews or recruitment interviews by several people with supplementary testing by an outside concern. The current program, operated entirely by the company's own personnel staff, uses test batteries to measure the following: how well the employee thinks; his interests; the motivating factors in his personality; his social adjustments and how he feels in a variety of social situations. In addition, various specialized tests are used for the different classifications of applicants. The tests, which give a highly accurate forecast of just what sort of an employee the company is hiring, save both time and money by eliminating the hiring of men who are likely to be unstable and therefore transient. Started with salesmen, this selection method has proven itself to be so successful that testing procedures are gradually being extended to other classifications. It is definite that the method improves the productive value of the whole organization and establishes better employee-employer relations by placing people on the jobs for which they are qualified.—William B. Davis.

Long, Louis. **Relationship between interests and abilities: A Study of the Strong Vocational Interest Blank and the Zye Scientific Aptitude Test.** *Journal of Applied Psychology* 29 (3) June, 1945: 191-97.—The relationship between interests and scientific ability as measured by the Strong Vocational Blank and the Zye Scientific Aptitude Test was investigated at the Student Personnel Bureau, College of the City of New York. The study showed a reliable difference between the average scores on the Scientific Aptitude Test for students rating high and for those rating low in three of six occupational group scales on the Strong. The findings indicate that students scoring high on the Zye Test rate higher on the Strong Technical Non-mathematics and Technical Mathematics groups, but lower on the Business Contact groups than do those scoring low on the Zye Test. The results indicate that the Zye Scientific Aptitude Test is measuring some phase of ability that separates students having interests similar to those found among the occupational

groups included in the Technical Mathematics and the Technical Non-mathematics group of the Strong from those students who do not have those interests. From the common sense point of view the agreement between the two measurements is to be expected. The Zye Test deals largely with problems involving mathematics and principles of physics. Even when the items are intended to measure general abilities (such as reasoning, generalizing, and suspending judgment) the content of the item is usually drawn from the physical science field. Similarly, inspection of the keys of the Strong Technical Mathematics and Technical Non-mathematics scales reveals that the items dealing with scientific and technical subjects or activities are heavily weighted. Consequently some agreement between the two instruments would be expected. The extent of this agreement, however, is far from perfect (biserial r=.26 between Zye score and Strong letter rating for Technical Non-mathematics and biserial r=.50 between Zye score and Strong Technical Mathematics rating). This is not enough agreement to permit the prediction of a score on the Zye Scientific Aptitude Test from a rating on the Strong scale. (Tables and bibliography included.)—*Leo B. Fagan.*

## Promotion

**Unsigned. Promotion in the public service.** *Public Administration* 23 (1) Spring, 1945: 41-53.—(Memorandum submitted by the Regional Group of Victoria to the Australian Committee on Promotions in the Public Services.) A system of promotion should insure with reasonable certainty the selection of the most efficient officer, provide equal opportunity for all officers seeking promotion, be accepted by the service as fair, and be supported by a system of training for the higher positions. The permanent heads of departments are the appropriate authorities to make promotions, subject to review by an appeal board. Seniority and superior efficiency are the common criteria for promotion. Although promotion by seniority is a bulwark against nepotism, patronage, and favoritism, and simplifies the task of the appointing officer, the merits of this system should not limit attempts to identify superior efficiency. In canvassing the efficiency of applicants it is important that qualifications for future appointments, as well as those desired for the immediate vacancy, be considered. The system of selection—whatever its components—should be convincing to the candidates and to the promoting authority. In general, it appears that comprehensive re-

ports on the applicants by their superior officers constitute the best evidence for making a selection, and, if good evidence is not available, pretense should be abandoned and the senior competent officer promoted. Some mobility between departments is desirable, but it should generally be restricted to the early years of an officer's service. In order to insure fairness in promotions a system of appeals from the decisions of promotion authorities is necessary. The appeals board should consist of a permanent chairman appointed from the service and representatives of employees and the government. Although the appeals system should exist primarily to give caution to promotion authorities, it can also correct injustices. In addition to training for promotion and for transfers, it is desirable that university training should be provided. It is suggested that there be a system of "cadetships" under which the most promising junior officers would be selected for full-time courses at a university, with leave and allowances. Such a system, providing for two years of full-time study, has been made available for selected New Zealand public servants.—*Karl A. Bosworth.*

## Training

**Bailey, Dorothy. Staff training in the USES—key to better performance.** *Manpower Review* 12 (7) July, 1945: 3-21.—The purpose of staff training is improvement of operations and not something to be done when pressure of work eases. Staff training is more than an occasional class or series of lectures. It should be a well-rounded program including induction training for new employees, periodic refresher training to maintain performance standards, advanced training to prepare experienced personnel for specialized jobs, training for promotion and to introduce new programs and tools, and day-to-day training on the job to improve performance. It is the supervisor's job to train each member of his staff by personal contact and by utilizing the services of other staff members. The training supervisor's job is to help promote effective training by showing line supervisors how to determine training needs, how to conduct effective training and how to evaluate results. Training programs carried on in the various states indicate a need for increased emphasis on the following training areas: more follow-up on training; evaluation of the results of training in terms of improved operations; training for others than interviewers; training in the use of employment tools; and improvement in training methods. Assistance available from

the headquarters office includes training materials as well as technical field assistance. Progress of staff training will become more significant as local managers recognize its essentiality as a key to better performance. (Article contains a list of training material publications of the Employment Office Training Program of USES.)—*Nesta M. Gallas.*

Tryon, Richard R. **Techniques for training with visual aids.** *Management Review* 34 (8) August, 1945: 303-305.—In planning a program of visual aid training it must be remembered that visual aids are supplements and cannot comprise a complete program in themselves. To achieve a successful program, the teacher must adhere to a well organized outline and be familiar with all materials used; employees should be prepared in advance of the first meeting; repetition and review must be used to insure retention of the material; equipment must be checked to avoid distracting interruptions; and adequate recesses must be provided in the schedule to relieve fatigue and hold interest. A well conceived and properly followed-up visual aid program is useful for induction, safety and health subjects, non-supervisory and foreman job training, and for handling morale problems.—*Mildred Stier.*

### Health; Safety

Bristol, Leverett D. **Value of health examinations in industry.** *Journal of the American Medical Association* 128 (9) June 30, 1945: 627-630.—A study covering fourteen consecutive years was made of the concurrent history of sickness and absence from work of two groups, each of 100 male industrial workers, statistically comparable except that employees of one group during this period had had ten or more voluntary periodic health examinations in a company medical department while employees of the control group had had no such periodic health examinations. Health examinations were carried on largely by the same physician recognized as a specialist in these examinations, and examinees were advised as to the correction of poor health habits, abnormal conditions and impairments. Individuals were referred to private physicians for further examinations or treatment, if indicated as necessary. No significant differences between the two groups were found in total incidence and specific causes of illness during the fourteen year period. However, sickness incidence of the examined group as compared with the nonexamined group lessened materially as the years advanced. Peri-

odic health examinations also had an apparent influence in checking the duration of both major and minor illness, particularly as the years advanced. The argument that the examined group is a "health conscious" group and therefore expected to have a better health record is answered by the fact that the sickness record of this group improved only after the periodic health examinations had been taken long enough to show favorable results. Similarly, the charge that those who seek periodic health examinations tend to be "neurotic" is discounted by the fact that the two groups have had practically the same amount and kind of sickness during the years studied, with a definite improvement, however, during the last half of the period in the examined group. Besides controlling occasional early cases of incipient diseases and discovering certain major or minor physical impairments or defects, the voluntary periodic health examination is of value to industrial management in the possible control of operating and financial losses due to sickness among workers. Because ultimate values are somewhat hidden and slow in appearing, the most important requirement of such an examination program is that of persistence. (Contains statistical tables.)—*Mildred I. Fahlen.*

Koller, George. **The challenge of postwar safety.** *Personnel* 22 (1) July, 1945: 62-68.—The need for manpower conservation during the war period has enhanced the role of the safety engineer in industrial and public life. Human safety and security, better production and improved distribution underlie the structure of total peace. The safety engineer must, therefore, take a serious part in planning for postwar readjustments and developments. His job may be divided into three closely related activities: (1) Inspection—recommendations following inspections should be precise and practical; there must be a systematic follow-up conducted in supervisory channels; periodic statements of conditions evaluating all factors pertinent to safety activity should be submitted to management. (2) Consultation—the engineer should confer with operating or staff officials on the accident and health factors to be considered in the introduction of new processes, development of plant layouts, use of new machinery and material, and assignment of personnel. (3) Education—safety education ranges from installation of the simple "danger" sign to operation of the complex communication system embodied in organization. Safe production can be

directed efficiently by only one person, the operating supervisor. The safety engineer should merely render technical assistance to supervision (staff function) in keeping the shop safe. Competent performance of duties with special emphasis on improvement of the working environment will minimize human failures, which are the greatest cause of accidents. The safety engineer is also concerned with problems of machine guarding, with conducting a preventive maintenance program, and with working closely with the industrial physician in furnishing engineering knowledge to assist him in maintaining a sanitary, healthy working environment. For small firms which can neither afford nor justify the hiring of full-time specialists, a counseling team consisting of a competent personnel counselor, an industrial physician, and a well-trained safety engineer, operating as an independent unit, could provide aid.—*J. Emmett Frost.*

### Employee Relations

Nielsen, Vigo C. **Preparing for postwar personnel relations.** *Management Review* 34 (4) April, 1945: 136-138.—Wartime developments in labor which will bear upon the future of personnel relations include greater labor mobility, new employable groups, changes in work methods, selection and training of employees, higher wages and longer hours, governmental controls, and a deterioration of employer-employee relations. Just how the above will affect the future cannot be accurately foretold. Each, however, will add to the complexity of personnel administration. What specifically can business do now to prepare for employee problems of the future? The answer lies in giving immediate and careful attention to the relatively few fundamental principles of employee relations. Every aspect of these principles can be reviewed now and welded together into a basic personnel policy with allowance for future modification. The key to employee relations is the reasonable and mutually acceptable handling of day-to-day problems affecting individuals and groups. Evidence is strong, however, that business men do not realize the importance of day-to-day administration of employee relations. Management has yet to appreciate fully that personnel administration is the making of basic personnel policies effective through administrative policies and procedures. What can business do now to prepare to deal more administratively with labor relations after the war? First, top management must give its support not only in the formulation of personnel policies, but also

in their execution. Secondly, the financial aspects of the personnel situation should be studied in preparation for the future responsibilities of the personnel department. Sound administration of personnel involves expense, and top management must be willing to undertake this investment. Finally, business must give attention to the selection and training of the people required to staff the personnel department. Care should be given to select people of experience, aptitude and ability, in return for which business must offer career opportunities. To prepare for this critical problem of post-war years management must establish a basic personnel program and the means for making it effective.—*C. J. Wasung.*

### Employee Counseling

Himler, L. E. **Psychiatric technics in the management of employee problems.** *Journal of the American Medical Association* 128 (9) June 30, 1945: 638-39.—Certain types of brief psychotherapy can be successfully practiced by the interested industrial physician without undue or excessive demands on his time. The special potentialities of psychotherapy in the field of industrial relations have not received the emphasis they deserve. The practice of psychotherapy does not require so much in the way of strictly medical knowledge and diagnostic acumen as it does patience and sympathetic interest in the employee as a person. Although it is next to impossible to set up detailed diagnostic criteria into which all the minor personality determined problems of industrial practice can be fitted, it is possible to single out a few emotional trends which often give excellent clues as to the type and extent of psychotherapy which will be required. In many instances the relationship of such personal problems to lack of efficiency on the job is frankly acknowledged. When some thirty general methods of psychotherapy which are used by the medical practitioner are modified and adapted to the industrial setting, they tend to fall into three overlapping categories: those which are an intimate part of routine procedure, those which might be termed psychiatric first aid, and those which are involved in extended private interviews and follow-up contacts. Although industrial physicians are by no means the only individuals with personnel functions who employ psychotherapy technics, they are the best qualified by training and experience to take authoritative leadership in their application to management and employee problems. Beyond increasing the use of psychiatry, the industrial

physician is obligated to spread the philosophy of this approach to management, foremen, employment interviewers, and nurses. (The article contains a list of 18 psychosomatic disturbances found in industrial workers and an inventory of 27 technics.)—Adrian E. Gory.

Hoslett, Schuyler Dean. **Listening to the troubled or dissatisfied employee.** *Personnel* 22 (1) July, 1945: 52-57.—Few of us know how to listen to others who are worried or dissatisfied. In most cases we do not allow the person to talk out his problem freely: we keep interrupting with questions and advice. We try to settle the other fellow's problem on the basis of what we would do, not realizing that he looks at the problem through a different set of eyes from

our own. If we allow unhampered expression, the worker usually comes to recognize the real nature of his personal difficulties and eventually thinks out his own way to meet them, the supervisor knows how the employee feels about the situation, and the air is cleared so that the employee can accept objective suggestions without the mental resistances caused by unexpressed feelings. This is called the "non-directive" technique, since the listener does not try to direct the conversation into the channels he wants, does not analyze the situation for the worker, and does not give him a ready-made solution to his problem. (Typical interviews are included, showing correct and incorrect approaches and a list of rules to follow in helping workers express their feelings.)—Dorothy M. Wilson.